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TENTH REPORT, APPENDIX, PART V.

THE  
M A N U S C R I P T S

OF

THE MARQUIS OF ORMONDE, THE EARL OF FINGALL, THE  
CORPORATIONS OF WATERFORD, GALWAY, &c.

*Presented to both Houses of Parliament by Command of Her Majesty.*



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**TENTH REPORT, APPENDIX, PART V.**

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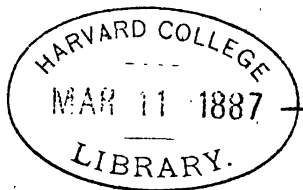
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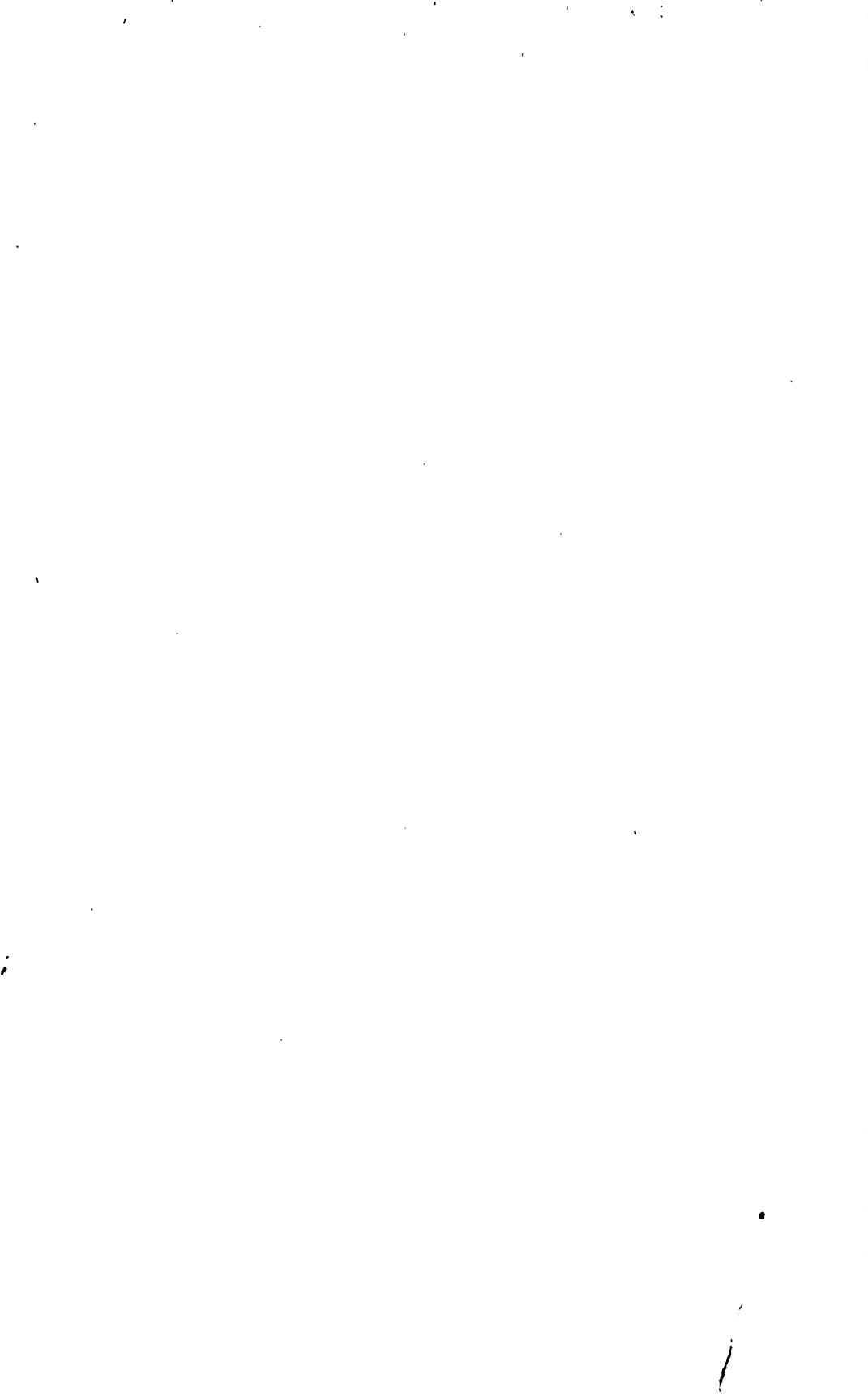
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THE MANUSCRIPTS OF THE MOST HONOURABLE THE  
MARQUIS OF ORMONDE, KILKENNY CASTLE.—BY  
JOHN T. GILBERT.

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OF ORMONDE.

The contents of the concluding portion of the Register of Petitions are embraced in the following Calendar,<sup>1</sup> which is in sequence to that published in the Appendix to the Ninth Report of this Commission.

CALENDAR OF PETITIONS, A.D. 1666–1669, addressed to James, Duke of Ormonde, Lord Lieutenant of Ireland, and to his Deputy, Thomas, Earl of Ossory.

Lord Athenry.<sup>2</sup>—Custodiam of lands within the liberties of Galway and Athenry.—23 May 1666.

Robert Sandford, ironmonger, Dublin.—Recovery of money due by Roger Chamberlain, of the Life-Guards.—23 May 1666.

William Taylor, brewer, Dublin.—Recovery of money due by soldiers.—23 May 1666.

William Spike, soldier under the command of Lord Berkeley.—Praying that Edward Dent may be prevented from summoning or attaching petitioner.—9 June 1666.

Jo. Paine, "Surveyor of his Majestie's Works."—"That your petitioner being employed in and about building and repairing his Majestie's Castle of Dublin, and the outbuildings thereunto belonging, and severall other buildings belonging to his Majestie: Now see it is, may it please your Grace, that your petitioner having received severall summes of money out of the receipt of his Majestie's Exchequer, towards the doing thereof, for which he hath not yet accompted; and your petitioner having delivered the accompt and vouchers unto the Auditor of his Majestie's Imprest Receipt for the examination thereof, which sayd accompts and vouchers he hath already examined and cast up, your petitioner therefore most humbly prayes your Grace to give order to the Commissioners of Accompts for the takeing and passing the aforesaid accompt, whereby your petitioner may have his discharge for the same. And he as in duty bound shall pray, etc.

"Dublin Castle, the 11th of June, 1666.—We pray and require our very good Lord, the Lord Chancellor, to cause a commission to issue under the great seale, to be directed unto the Lord Chief Baron of his Majestie's Courte of Exchequer; Sir James Ware, Knight, his Majestie's Auditor-Generall; and to his Majestie's Auditor for Imprests, to take the petitioner's accompts for the moneys above mentioned, received and disbursed by him, with power to those Commissioners to administer oaths for the cleering of any doubt or question that may arise therein; and to certify under their hands and seales the state of the said accompts, as in like cases hath been usuall.—ORMONDE."

<sup>1</sup> For observations on the contents of the present calendar, see Tenth Report of this Commission, page 42.

<sup>2</sup> Francis Bermingham, Baron of Athenry. See p. 22.

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John Kelly.—“That your petitioner being lately tried in his Majesty's Court of Chiefe Place for the killing of one Richard Roe, not out of any malice but by sudden provocation, the petitioner was found guilty of manslaughter, and haveing the benefit of his clergy was to be burned in the hand, for which your Grace hath been pleased to grant him his Majesty's pardon, upon the report of the Right Honorable the Lord Santry,<sup>1</sup> and an ample certificate of the Lord Mayor<sup>2</sup> of the cittie of Dublin; Sir Theophilus Jones, Sir Thomas Worship, and many Aldermen and other persons of good credit, of your petitioner's civill demeanour in the said cittie. But soe it is, may it please your Grace, that the order given by your Grace for pardoning the burning in the hand does not carry words in it for restoring the petitioner's goods and chattels, the forfeiture whereof being an effect of the said fact, the punishment of which your Grace hath been pleased to pardon. The petitioner therefore most humbly prayeth that your Grace's said order may be enlarged, soe as the same may extend to the restitution of his said goods and chattels. And he shall pray, etc.

“Dublin Castle, the 31 January 1665[–6].—We pray our very good Lord, the Lord Baron of Santry, Lord Chiefe Justice of his Majesty's Court of Chiefe Place, to consider of this petition, and to certify us his opinion of the petitioner's request thereby made unto us.—ORMONDE.

“February 3, 1665[–6].—May it please your Grace: I conceive that your Grace may grant the goods and chattells desired to the petitioner, by issuing your warrant for letters patents to be passed unto him of grant and restitution thereof; which is humbly submitted to your Grace's consideration.—SANTRY.

“Dublin Castle, 14 June 1666.—Upon consideration of the foregoing certificate of our very good Lord, the Lord Baron of Santry, Lord Chiefe Justice of his Majesty's Court of Chiefe Place, made in pursuance of our order of reference given on the within petition of John Kelly, the 31 day of January last, wee are pleased and doe hereby order that his Majesty's Attorney and Solicitor Generall, or either of them, shall draw up a fiant in due forme of law, containing his Majesty's grant and restitution unto the petitioner of his goods and chattells, forfeited by the fact in his petition mentioned, inserting therein all such clauses as in grants of like nature are usuall, and the same, fairly ingrossed in parchment under their or one of their hands, send unto us to be further passed as appertaineth. And for soe doing this shall be a sufficient warrant.—ORMONDE.”

Esther Cook, widow.—Certificate and order on petition for arrears due to her late husband, Clement Cook, of Captain Brabazon's company.—14 June 1666.

Sir Thomas Longueville.—Permission to proceed against Major Edward Evett, of Colonel Howard's troop, and others, for slander.—13 July 1666:

Farmers of Excise, Ireland.—Leave to proceed against soldiers for retailling beer and ale without license.—11 June 1666.

Colonel John Jephson and Captain Edward Brabazon.—Payment of balance due on foot of bills of exchange passed to them for payment of their men by Commissione of Customs.—16 June 1666.

<sup>1</sup> Sir James Barry, Lord Santry, Chief Justice, King's Bench, Ireland, 1660–73.

<sup>2</sup> Sir Daniel Bellingham, Knight and Baronet, Deputy Vice-Treasurer and Receiver-General, Ireland, Lord Mayor of Dublin, 1665–66.

William Eaton, master and owner of the "May Flower," of Chester.—Praying that ammunition and guns (to be mounted at his own expense) may be supplied to him, for his Majesty's service, from the stores at Dublin.—21 June 1666.

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Sir Nicholas Plunkett, Sir Robert Talbot, Colonel Garret Moore, Colonel Milo Power, and others.—"That in and by a clause in the late Explanatory Act,<sup>1</sup> page 114, it is enacted that the Lord Lieutenant, or other Chief Governor or Governors of this kingdome for the time being, shall and may assesse any summe not exceeding three pence per acre in and out of every acre of profitable land of plantation measure which is by the late Court of Claimes, or shall be, pursuant to this or the former Act, decreed or confirmed or sett out or delivered unto any person or persons of the Popish religion in this kingdome, and the same be caused to be levied by distresse or otherwise, and to be payd to the Receiver hereafter mentioned, to the intent that 5,000*l.* be payd to Milo Power, Esquire, his executors, administrators, and assignes, and that the residue may afterwards be issued out unto such of the Roman Catholiques of this kingdome who, as agents or otherwise, since his Majestie's most happy Restitution, shall by the Lord Lieutenant or other Chief Governor or Governors be judged meriting the same, and that in such proportion as the Lord Lieutenant or other Chief Governor or Governors shall thinke fitt and direct, pursuant thereunto. The petitioners most humbly beseech your Grace to give order for assessing and leavying such summe as to your Grace shall seeme meet for performance of the ends and intents of the said enacting clause, whereby the petitioner, Milo Power, may receive the 5,000*l.* enacted for him, and that the other petitioners may be satisfied in such proportion as your Grace shall thinke fitt. And the petitioner will ever pray.

"Dublin Castle, 19 June 1666.—The Sub-Commissioners appointed by the Commissioners for the execution of the Act of Settlement and the Explanatory Act are to make certificate what number of acres of land of plantation measure have been decreed, confirmed, sett out, or delivered to any person or persons of the Popish religion in this kingdom, and in what counties, baronies, parishes, and townes particularly such lands do lye, with the names of the person to whome the same were decreed, confirmed, sett out, or delivered respectively; and such certificate to send unto us under their hands with all convenient speed, and thereupon wee shall give such further order as shall appeare fitt.—ORMONDE."

Walter Pitt, of the Life-Guard.—Petition, and answer to petition of James Hopton on recovery of debt.—22 June 1666.

Samuel Thompson, of London, stationer.—"That whereas William Clark, Chirurgion-Generall to the Royall regiment in Ireland, entred into a certaine obligation, bearing date the eighth day of July 1656, for eighty pounds conditioned for the payment of forty-one pounds ten shillings unto Elizabeth Clark, alias Thompson, of London, spinster, sister to him, the said William Cleark, and now or late married wife unto your petitioner: Now forasmuch as the said William Clark denied, and doth still obstinately denie, the payment of the said summ of forty-one pounds ten shillings unto your petitioner, though often demanded by your said petitioner, may it therefore please your Grace to order that all due course of law and equity may be taken against the said William Clarke for recovery of the said summ, either by your

<sup>1</sup> Act for Explanation of doubts arising on Act for Settlement of Ireland.

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petitioner, his assigns or attorney lawfully constituted. And your petitioner shall always pray, etc.

"Dublin Castle, the 22 June 1666.—Sir William Flower, Knight, Lieutenant-Collonel of his Majestie's regiment of Guards, is to examine the matter within mentioned and to compose the difference by consent of both parties (if they can), or else to certify us the true state thereof; and thereupon we shall give such further order as shall appeare to be fitt.—ORMONDE."

John Goodwyn.—Recovery of debt from Patrick Little, of Colonel Francis Willoughby's company.—15 June 1666.

Thomas Flint, plaintiff; Thomas Hill, defendant.—Affidavit of service of order.—21 June 1666.

Richard Roper.—Recovery of amount due by John Booth, of the Life-Guards.—27 June 1666.

Henry Gamble.—"May it please your Lordship: According to your Lordship's order<sup>1</sup> of the 10th of June 1665, wee have veiued and measured soe much of the work in the certificate hereunto annexed<sup>2</sup> as hath been performed by Henry Gamble, mason, in the said certificate also named, according to certaine articles of agreement made between William Dodson, Esquire, on behalfe of his Majestie and the said Henry Gamble, and wee find that soe much of his Majestie's park wall in the said certificate also mentioned as hath been erected by the said Henry Gamble, pursuant to the said articles, extendeth itself from the river Liffie, beneath Bowbridge, by the old wall of St. John's Chapple neere Killmainham, to the new bridge of Chapple-Izod, and contayneth in length by measure 320 perches, at the least, besides 43 perches more, at present in dispute between the said parties, the said Henry Gamble affirming and produceing witnesses to prove the same to have bine done and performed by him, and the said Mr. Dodson utterly denying the same; and wee likewise finde, upon serious view and consideration of the whole matter to us referred, that that part of the said wall which is now defective was not occasioned through any neglect of the surveyor, or the said Henry Gamble, or any others under them or either of them employed in the said work, which was well and in workmanlike manner performed by the said Henry Gamble as a dry wall, but meerly occasioned by reason the stones were not laid in mortar, they being of a soft and mouldring condition and not able to endure the sunn and weather without it. And wee further find that that part of the wall which hath been since done and performed by the said Henry Gamble conteyneth throughout five foot from the ground upwards, and is of more thickness and substance than that upper part of the said wall which hath bine since made and coped by other men at day-work, which the said Henry Gamble ought likewise to have performed; and therefore wee think it just and meet to allow unto the said Henry Gamble one perch in five in regard thereof throughout the said work, which cometh to 64 perches more, which makes the whole work performed by the said Henry Gamble besides the 43 perches in dispute to amount to 384 perches, accounting the same at 22s. 6d. each perch grosse, which cometh in the whole to 432 pounds sterling, besides the said 43 perches in difference, whereof wee find the said Henry Gamble hath received of the said Mr. Dodson the summ of 380l. sterling and noe more; soe that there remaineth due to the said Henry Gamble from the said Mr. Dodson,

<sup>1</sup> See Ninth Report of this Commission, 1884, Part 2. p. 161.

<sup>2</sup> Not in the MS.

upon the whole accompt, besides the said 43 perches in dispute, the summe of 52 pounds sterling. All which wee humbly submitt to your Lordship's consideration. Dated 28 August 1665.—THOMAS BROWNE.—JAMES BROWNE.—WILLIAM ROBINSON.

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"Dublin Castle, the 14 June 1666.—Upon consideration of the annexed petition of Henry Gamble, the answer of William Dodson, Esquire, to the said petition, the replication of the said Gamble to the said answer, the certificate of the Lord Dungannon,<sup>1</sup> Sir Paul Davys, and Sir James Ware, Knights, the certificate of James Browne [and] Thomas Browne, bricklayers, and William Robinson, plaisterer, persons agreed upon by the consent of the said Henry Gamble and the said Mr. Dodson to view the work in question, and by the annexed order<sup>2</sup> of the Earle of Ossory, late Lord Deputy, dated 10<sup>th</sup> June 1665, directed to view the same accordingly and to doe further as by the said order appeareth; which said James Browne, Thomas Browne, and William Robinson, by their said certificate, dated the 28 August 1665, doe certify that there remains due to the petitioner, Henry Gamble, from the said Mr. Dodson fifty-two pounds sterling, as by the said certificate appeareth; wee thinke fitt, and accordingly doe order, that his Majestie's Vice-Treasurer, out of any monys which is or shall be by him payable out of the Treasury to the said Mr. Dodson, shall see the said fifty-two pounds paid to the said Henry Gamble before the said Mr. Dodson receive any further monys from the said Vice-Treasurer. And for soe doing this shalbe a sufficient warrant.—ORMONDE."

Lawrence Barret, "and the rest of the inhabitants and farmers of Clonturke."—"That your petitioners being inhabitants in the towne of Clonturke, in the county of Dublin aforesaid, duely paying all manner of taxes imposed upon them, yet the souldiers under the command of the Right Honorable the Lord Brabazon, takeing the lands of Drumconragh for grazeing their horses for the whole troope all summer in the yeare 1664, which troopers never kept any to watch their horses trespassing upon your petitioners' corne and grass adjoyning to the said lands of Drumconragh, neither would suffer your petitioners to watch, insoemuch that their said horses have broken into your petitioners' corne and spoyled above twenty acres thereof, besides six or seven acres of meadow, which they have cut and carryed away at their wills and pleasures; that your petitioners have severall times intreated the said souldiers to watch their said horses, who have refused, and drawne their swords upon them and cut them and refuse to render any satisfaction for the same; that your petitioners preferred their petition,<sup>3</sup> setting forth their grievances, to the Right Honorable the late Lord Deputy of this kingdom, who referred the examination of the same to the Right Honorable the Lord Viscount Dungannon, Sir Henry Tichborne, Sir John Stephens, and Sir William Flower, Knights, or any three of them, which reference, by reason of his Lordship's going for England, hath never been examined: Your petitioners therefore most humbly pray your Grace would be pleased to renew their said order, and they shall pray, etc.—Lawrence Barret. — Pat[rick] Rooney. — Donnagh McDoyle. — Furlagh Quine."

"Dublin Castle, 23 June 1666.—We are pleased hereby to renew the former order within mentioned given by the late Lord Deputy, the second day of August 1664, concerning this matter, and to pray and

<sup>1</sup> Marcus Trevor, created Viscount Dungannon in 1662.

<sup>2</sup> Not in the MS.

<sup>3</sup> See Ninth Report of this Commission, 1884, Part i. p. 145.

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require our very good Lord, the Lord Viscount Dungannon, Sir Henry Tichborne, Knight, Field Marshall Generall, Sir John Stephens, and Sir William Flower, Knights, or any three of them, to examine the matter aforesaid and to compose the difference by consent of the parties whom it concernes (if any they can), or else to certify us what shall appeare unto them and their opinion what they shall conceive fitt to be done therein.—ORMONDE."

John Potter:—Praying that the report on petitioner's claim for expenses incurred in the Duke of Ormonde's service, etc., made by Richard Delves, one of the referees named, may be received, the other referee having refused to act.—23 June 1666.

James Tanner.—Recovery of amount due for beer by William Castle, of the Life-Guard.—3 July 1666.

Sarah Wells,<sup>1</sup> under sentence of death.—Reprieve.—7 July 1636.

William, Earl of Desmond.<sup>2</sup>—"That his Majestie, in his patent of honour granted unto your petitioner's father, George, Earle of Desmond, lately deceased, and the heires males of his body, was graciously pleased to allowe him the annuall allowance of fiftene pounds sterling, creation-mony, as by the said letters patents, bearing date the 7<sup>th</sup> of November, in the 20<sup>th</sup> yeare of the raigne of King James remaineing of record with his Majestie's Auditor-Generall, more at large may appeare. That, before the death of your petitioner's said father, there were severall yeares creation-mony due unto him, which is yet unpaid by reason that his Majestie's said Auditor-Generall will not issue forth debentures for the same, in regard your petitioner's said father was not inserted in the Establishment made upon the King's happy Restauracion, but is now put upon the Establishment to bee made (as your petitioner is informed). In tender consideration whereof, and for that his Majestie's Auditor-Generall thinks it fitting and necessary to have your Grace's warrant before he gives debentures unto your petitioner for what creation-mony fell due unto your petitioner's said father, and for the future shall fall due unto your petitioner as the heire male of his said father. And your petitioner shall pray, etc.

"Dublin Castle, the 6 of July, 1666.—Upon consideration of this petition, we are pleased, and doe hereby order, that his Majestie's Auditor-Generall shall make forth debentures for what is due to the petitioner for creation-mony from the time that the same was put upon the Establishment, and soe from time to time, as for others in like cases.—ORMONDE."

William Doyle, of Carlow.—Pardon, in forma pauperis, for horse-stealing.—9 July 1666.

Christopher Dobson and Eusebius Cotton.—"That your petitioners, being farmers of the Inland Excise and licences of the County Palatine of Tipperary, for one yeare and one quarter ending the 25<sup>th</sup> of March last, dureing which time the severall persons in the schedule annexed (souldiers in Clonmell, under the command of Sir Francis Foulk, Knight), were in arreare and indebted to your petitioners, for Excise and licences, the severall summs to their names annexed amounting to the summe of £35 7s. 4d., which said Sir Francis hath an assignment on your petitioners for £225, which your petitioners owe and are

<sup>1</sup> See p. 17.

<sup>2</sup> William Fielding, Earl of Denbigh and Desmond, succeeded his father, George, on the death of the latter in 1665.



indebted to his Majestie, besides other great summes yet in arreare for other countyes they then farmed, and now likewise assigned to the souldiery; and whereas your petitioners have severall other debts standing out and in arreare in the said county of Tipperary by bondes and otherwaies, amounting to neere £500 pounds, and sufficient to satisfy what is due from your petitioners to his Majesty, and cannot have that speedy course afforded them for the getting in the arreares of Excise due in the said county of Tipperary, as the Right Honourable the Lord President of Munster affordes your petitioners and others in Munster in the like causes, being a branch of his Majestie's revenue, to wit, by granting us a warrant of execution against the persons soe in arreare for Excise and licenses immediately upon due prooffe made before him of such debt or debts in arreare which cannot be obtained in your Grace's Court Palatine of Tipperary without your Grace's particular order for that purpose by meanes of the strict rules of law in that Honorable Court followed; by meanes of all which your petitioners are altogether unable to satisfie the severall great summs assigned on them as aforesaid, but must with their security be utterly ruined unless releived by your Grace. May it therefore please your Grace, the premisses tenderly considered, to grant your order to the said Sir Francis Foulke to default and deduct forth of the said £225 the said summe of £35 7s. 4d. due from his souldiers as aforesaid, or as much thereof as shall appeare uppon oath before him to be due both for Excise and licences, and that your petitioners may be allowed soe much forth of their rent due for Excise and licence, or otherwise releived therein as to your Grace's wisdom shall seem most meete; and likewise to afford your petitioner your Grace's order to your Seneschall of your said County Palatine of Tipperary, upon every prooffe thereof made before him, or some such other order as may be for the present releife of your poore petitioners and supply of the present necessity of the souldiery on whom it is assigned as shalbe by your Grace thought most meete, otherwise your poore petitioners must perish in gaole and their familys ruined. In granting of all which, or otherwaies releiving your petitioners, they will alwayes pray as in duty bound for your Grace's prosperity.

“Dublin Castle, 9 July 1666.—As to that part of the matter mentioned in this petition which doth concerne the souldiers under the command of Sir Francis Foulke, he is to examine the same, and what he shall find to be due by every of the said souldiers respectively to the petitioners for the Excise or lycences within mentioned, he is to stopp out of their entertainment, and pay unto the petitioners as their said entertainments shall become payable; and for such monys as are due to the petitioners by any other persons than souldiers within the Regalties and liberties of Tipperary upon the account aforesaid, we recommend the petitioners to the Seneschall and Chancellor of the said Regalties and Liberties for such speedy releife to be given them as shall appeare to be just and warrantable.—ORMONDE.”

James Tanner against William Castle.—Certificate and order as to recovery of debt.—13 July 1666.

John Tuthill and others.—“That your petitioners, being all tenants to your Grace, and liveing in the towne of Chapple-Izod, were employed by William Dodson, Esquire, with their horses and carrs to carry stones towards the building of the [Phœnix] Park wall adjoyneing to your petitioners, with promise of true payment for their paines and labour therein according as they respectively followed their work; whereupon your petitioners used their industry therein, expecting to have due

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satisfaction for the same according to the generall rate, by which there accrewed due to your petitioners the summe of twenty pounds nine and fourpence, as by the certificates hereunto annexed may [appeare]. But now see it is, may it please your Grace, that the said William Dodson hath hitherto failed to pay your petitioners the said summ soe due unto them as aforesaid, whereby your petitioners are very much damnified, the same being due at least a yeare and a halfe. Your petitioners therefore humbly pray they may be speedily satisfied the said summ in such manner as your Grace shall thinke meete. And your petitioners shall pray, etc.

“Dublin Castle, 11 July 1666.—Mr. William Dodson within named is forthwith to shew us cause in writeing why the mony demanded by the petitioners is not payed unto them.—ORMONDE.”

James Coleman.—“That he was assigned, as Deputy to Gamaliell Warter, Esquire, Collector of the Quit-Rents in the barony of Lower Ormond, to pay the Lord Brabazon's troope, £38. That, upon producing the assignement, he gave them what mony he had and tendred them a distress of oxen, cowes, horses, etc. for the remainder, as they had been or should be appraised at, which was £38. That Edward Butler, the clerke of the said troope, Thomas Lane, John Nurse, David Cockane, and William Warwick, troopers of the said troop, not contented therewith, did not onely drive the said cattle to the pound, but also drive 160 cattle more (off your Grace's lands) of your petitioner, and made your petitioner compound for £40 for the releasement of his cattle. That the said Butler did drive away the cattle, without appraisement, to Rcscren, and there forced some to appraise them at under rates, with which being not satisfied [he] sent back to the petitioner's farme for the pretended remainder, and three pounds for keeping and grazeing the said cattle. That they refused to accept of a redemption of the cattle [taken] from the petitioner, who had procured the money and tendred it. That, being still ready to pay the monys the cattle were appraised at, and to prove his allegations, he therefore humbly prayes your Grace's order for restitution of his cattle, satisfaction for his said forced composition, and the monys exacted from him, and for his damage. And he shall ever pray, etc.”

“Dublin Castle, 18 July 1666.—Symon Finch and John Harrison, Esquires, calling before them all partyes whom this matter doth concerne, are to examine the same and heare what shall be offered on all sides, and to certify us particularly what shall appear to be fitt.—ORMONDE.”

Captain John Bartlett.—“That the Ormonde friggatt being fraited for Chester, and being in want of 40 three-pounders for 4 small guns aboard her, and he formerly returneing into his Majestie's store 40 saker shott, being six poundes weight, he having spared about 20 three-pounders of his own, by the command of Sir John Stephens, for his Majestie's service; he therefore most humbly prayes your Grace wilbe pleased to give order to the Clerk of the Store forthwith to deliver 40 three-pounders to your petitioner, to be returned if they be not spent against the enemy. And he shall ever pray, etc.”

“Dublin Castle, 19 July 1666.—The Clerk of the Store is to deliver to the petitioner the shott above desired, he giving his engagement in writeing under his hand to returne the said shott into the stoare when he shall be thereunto required, if the same shall not be spent in his Majestie's service against some of his Majestie's enemies.—ORMONDE.”

William Vigers, servant to Roger Chamberlaine, "his Grace's saddler."  
—Recovery of wages.—14 July 1666.

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Dorothea Kingsmill, widow.—Tenancy of lands in county of Tipperary, and order granting same, free of rent.—23 July 1666.

Nicholas Lock, gardener.—Discharge from custody.—25 July 1666.

Richard Roberts.—Restoration of a horse sold to the late Lieutenant-Colonel Moses Hill.—3 August 1666.

Committee of "Adventurers" sitting at Grocers' Hall, London.—Respecting clause in Explanatory Act relating to lands claimed for sea-service; and confirmation of petitioners' interest in several lands in Ireland, on foot of monies advanced for the public service.—11 August 1666.

John Tuthill.—Report on claim in connexion with Phoenix Park, Dublin.—8 August 1666.

Lawrence Daly, John Daly, Hugh Rely, and Connor Coony.—Pardons, already granted, to be passed in forma pauperis.—14 August 1666.

William Gernon.—"That your petitioner is appointed by an order from Sir Thomas Harman, Capitaine of your Grace's Life-Guard of Horse, to view and take notice of all the armes and armourers thereunto belonging, and to call in the armes of all persons that leave the troope by furloe, passe, or otherwise, and dispose of them to the persons which come in their roomes. Now so it is, may it please your Grace, that Mr. Savinion came in the roomes of Mr. John Morris, who delivered his armes to him, but not his buffe coate, by meanes whereof he is not accoutered as becomes one of your Grace's Guards. May it therefore please your Grace to order Mr. Morris to deliver the coate, that it may not be a president to others to do the like, and so leave the troope destitute. And your petitioner will pray."

"Dublin Castle, 13 August 1666.—Peter Savinion being admitted into our Life Guard of Horse in the roomes of John Morris, the said John Morris is hereby required forthwith to deliver unto the said Savinion the buffe coate within mentioned.—ORMONDE."

Richard Nicholas and Richard Cox, "trumpeters to the commanded party waiting for orders."—"That by your Grace's order Captain Brennon, the first of January last, entertained your petitioners, promising them such pay as the army trumpeters should have. That your petitioners have very carefully attended their duty, as appears by the annexed certificate, yet hitherto have received noe pay. That when the rest of the party were paid, your petitioners applyed themselves to the clerk, expecting their pay who told them that he had none for them, nor could they have any without your Grace's speciall order to that end. Now, forasmuch as your petitioners have waited and done duty ever since May 1665, although they were not entertained by your Grace's order till the said 1st of January last, and have been at great charges buying horses, trumpets, and other materialls, and in maintaining themselves and horses here, whereby they are disabled to march out of towne with the party, without some provision be made to enable them, all which their said Captain can certifie; your petitioners therefore most humbly pray your Grace to grant order whereby your petitioners' pay already due, and which shall in the future grow due, may be issued either by concordatum or otherwise as your Grace shall think fit. And your petitioner as in, etc.

<sup>1</sup> Not in the MS.

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"Dublin Castle, 9th August 1666.—The Muster-Master Generall is to state the pay due to petitioners, from the time when Sir Thomas Harman and Captain Brennon by their annexed certificate doe certify they were entertained in the service above mentioned untill this day, after the rate allowed to the trumpetts of the troopes of the army, and to certify us thereof, and thereupon we shall give our further order.—  
ORMONDE.

William Rosse, Captain.—Payment of arrears.—15 August 1666.

Thomas Taylor.—"That your petitioner faithfully served his Royall Majesty and his late father, of blessed memory, untill his Majestie's armie was declined, first under the command of Collonel Hill, after of the Lord Dungannon, and by him under your Grace untill commanded towards the North, and after noe appearance of his Majestie's army in this kingdom, your petitioner retired and lived privately, untill of late he hath been visited with sickness, which hath reduced him to some indigencie, having a family to maintaine. However, your petitioner is able and willing to furnish himselfe and servant with horses and armes to serve his Majestie. He therefore humbly prays your Grace to grant an order for him and his servant to be mustered in the Lord Charlemont's troope, or at least for himselfe, and forthwith to enter into pay. And your petitioner, etc.

"Dublin Castle, 15 August 1666.—At the next muster, after any vacancy shall be in the troope under the command of our very good Lord, the Lord Viscount Charlemont,<sup>1</sup> the petitioner is to be admitted into that troope, he appearing sufficiently mounted and armed; whereof the Muster-Master and the officers of the said troope are to take notice.—ORMONDE."

Colonel Randal Clayton.—"That your petitioner, having received severall summes of money for the use of the Trustees appointed by your Grace and the Duke of Albemarle for managinge the security of the [16]49 Officers, amounting in the whole to £19,930, hath rendered a just and punctuall accompt thereof to the said Trustees. And having a greater regard to the benefit and advantage of the said security than any private interest of his owne, did from time to time supply and answer the severall occasions that the said Trustees had, whereby they are become indebted unto him in the summ of £1212 . 4 . 4½, over and above his receipts, and your petitioner being very sensible that if the security designed to be distributed among the [16]49 Officers were actually given out before any provision be made for your petitioner's satisfaccion, he should be left wholly without remedy. He therefore humbly prayes that your Grace will be pleased to recommend his condition unto the Honourable his Majestie's Commissioners for executinge the Acts of Settlement and Explanation of the same, that, they finding your petitioner's allegation to be true, there may be such provision made [for] your petitioner's satisfaction as may prevent his utter ruine. And he shall pray, etc.<sup>2</sup>

James Leslie, "Gunner of his Majestie's vessell the Mary yaucht.—That his wife is dead at Limehouse, his doores are lockt up, and his goods like to be spoyled or lost, without his speedy repaire thither. Prayes licence for six weekes' time to repaire to his concernes. Captain Sharland, commander of the vessell, certifies the petition to be true,

<sup>1</sup> William Caulfeild, Viscount Charlemount.

<sup>2</sup> The following observation is here appended in the MS. : "On this petition a letter was granted to the Commissioners. Vide page 88 in the Letter Book."

and that he may bee spared for that time; upon which a lycence granted him for six weekes from the date heereof. Dated the 24th September 1666.—ORMONDE."

John Jarvis.—To pass certificate for 676 acres, allotted, on foot of soldiers' arrears, in Thomas Taylor's patent.—24 September 1666.

Sir Francis Hamilton.—Warrant in reference to ten months' arrears due to himself and his troop.—25 September 1666.

Thomas Cuthbert, of London, draper.—"That one Major Robert Edgeworth,<sup>1</sup> now an officer in his Majestie's army in this kingdome of Ireland, is justly indebted unto your petitioner by two severall bonds in the summ of fifty-eight pounds, tenn shillings sterling, for the payment of nine and twenty pounds, eight shillings, and three pence sterling, due above five years since; that notwithstanding your petitioner hath forborne the said Edgeworth all the time aforesaid, and your poore petitioner is in extreme want of the said mony by reason of the great losse he hath sustained by the late accident of the fire<sup>2</sup> which happened in the said citty of London and burnt your petitioner's house to the ground, and many of his goods, yet the said Edgeworth, depending upon priviledge in the army, doth utterly refuse to pay your petitioner's said just debt, so that your petitioner is in a deplorable condition unless herein speedily relieved by your Grace. The premisses considered, your petitioner most humbly prayeth your Grace will be pleased to grant your petitioner lycence to implead the said Major Edgeworth at law for recovery of his just demands, notwithstanding the said Edgeworth's military capacity. And your petitioner, etc.

"Dublin Castle the 27th September 1666.—If Major Robert Edgeworth shall not give the petitioner satisfaction for his demand within mentioned within six weekes after sight hereof, upon affidavit to be made before the clerk of the Counsell of the shewing this our order to the said Major Edgeworth at the end of the said six weekes, the petitioner may take his remedy against him by due course of law, notwithstanding his military capacity.—ORMONDE."

William Armitage and John Chambre.—Order in relation to preparation of fiant.—27 September 1666.

Richard Philips.—Recovery of debt from Richard [Barry] Earl of Barrymore.—25 September 1666.

Captain Adam Molyneux.—"That your petitioner is willing to accept of a moyety of the ten months' arrears, due to him, as Lieutenant to Sir William Neale's troope of horse, if your Grace wilbe pleased to order him present payment thereof, as hath been granted to others. He therefore humbly prayes your Grace's order to the Muster-Master Generall to draw up a warrant for the payment of the said moyety. And, etc.

"Dublin Castle, the 26 September 1666.—The Muster-Master Generall or his Deputy is to state the ten months' arrear above-mentioned, and certify us to how much a moyety thereof doth amount.—ORMONDE.

"May it please your Grace: I find that there is due and in arreare unto Captain Adam Molyneux, as Lieutenant to Sir William Neale's troop of horse, from the 20th of October 1661 to the 27th of July 1662, according to the kalender account and present establishment, the summ

<sup>1</sup> See p. 76; also Ninth Report of this Commission, 1884, Part i., p. 143.

<sup>2</sup> In September 1666.

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of one hundred and sixteene pounds two shillings, a moyetie whereof amounts to fifty-eight pounds one shilling; which I humbly certify this 26th of September 1666.—RICHARD BARRY.

“Dublin Castle, 26th September 1666. The Muster-Master Generall or his Deputy is to prepare a warrant for payment of a moyetie of the ten months' arreare within mentioned to the petitioner, in satisfaction of the whole, and present it unto us for our signature.—ORMONDE.”

Captain Robert Deey.—Like petition, with order and warrant for moyety of ten months' arrears.—26th September 1666.

Sir James Shane,<sup>1</sup> Knight and Baronet.—“That his Majestie hath been graciously pleased, by letters pattents under the great seal of Ireland, bearing date the 7 of June last, to grant a full third part of the cleare profits of the office of Register of the Court of Claimes, which by a clause in the Explanation Act was reserved to his Majestie's dispose, to Robert Reading and Alexander Bence, Esquire, with direction and authority to your Grace to call the officers executeing the said place to accompt, upon oath, for a third part of all they have or shall receive, necessary charge deducted, by vertue of the said office, and to cause all the moneys so as aforesaid received to be issued out and payed from time to time to such person or persons as his Majestie hath or shall appoint. That the said Robert Reading and Alexander Bence have, by instrument under their hands indorsed on the said letters pattents, granted, assigned, and made over unto your petitioner all their rights title and interest in the premisses unto your petitioner, his executors, administrators, and assignes. And your petitioner, by letter of attorney perfected by him, hath authorized Dr. John Westby, Auditor of the said Court, to receive all such fees as from time to time shall become due unto your petitioner's use. Your petitioner therefore humbly prayes your Grace to command the said Registers forthwith to bring in their accounts unto the said Dr. John Westby, and to pay unto him what is due unto your petitioner, according to the true intent and meaning of the said Act and his Majestie's letters pattents.

“Dublin Castle, 26 September 1666.—Upon consideration had of this petition and the reasons thereby offered, we thinke fit hereby to require the Registers of the Court of Claimes of Ireland to bring in their account of the third part of the profits of their said office unto Dr. John Westby, Auditor of the said Court, and to pay such fees unto him from time to time as they shall receive out of the said office, according to the true intent and meaning of the Act of Parliament and his Majestie's letters pattents within mentioned.—ORMONDE.”

Philip O'Duffie and Patrick Brady.—“That, on or about the latter end of June last past, your poore petitioners were apprehended by a party of the Lord Dunganon's troope in the county of Ieytrim,<sup>2</sup> suspecting that your poore petitioners were rising in rebellion. That thereupon they were brought to this citty [Dublin] and comitted close prisoner in the said citty gaole meerely on the suspition aforesaid. That your petitioners are poore labourers and ready to make oath before your Grace that they never raised in rebellion against his Majestie, or had the least thought soe to doe. That they have the charge of wives and numerous children to maintaine only on the benefit of their dayly labour, but since your poore petitioners' comittall their said wives and children are in a starving condition, and unless your

<sup>1</sup> See p 16.

<sup>2</sup> Leitrim.

Grace gives order for your poore petitioners' speedie enlargement, both your petitioners and their said wives and children will undoubtedly perish. May it, therefore, please your Grace mercifully to look on your petitioners' distressed and most deplorable condition, and, forasmuch as it was out of malice the said rebellion was fathered on your poore petitioners, to grant your Grace's order [for] their enlargement out of this prison, to earne their daily bread to maintaine themselves and their poore charge. And your poore petitioners, as, etc.

"Dublin Castle, 15th August 1666.—We pray our very good Lord the Lord Viscount Dungannon to certify us wherefore the petitioners were comitted, with his opinion whether he conceive them fit to be set at liberty.—ORMONDE.

"September the 23 1666.—May it please your Grace: The petitioners within mentioned were both comitted by your Grace's orders upon severall informations against them of being concerned in a late intention that lately was said to have been among some of the Irish nation to have risen in armes, and upon such examinations as have been taken before me, I find it fitt, if soe your Grace's pleasure be, that Philip O'Duffie be released upon bonds, but that Patrick Brady be still continued in restraint. All which is humbly submitted unto your Grace by your Grace's most obedient servant, DUNGANNON.

"Dublin Castle, 25 September 1666.—Upon consideration of the forgoeing certificate of our very good Lord, the Lord Viscount Dungannon, made in pursuance of our order given the 15th of August last, upon the within petition of Phillip O'Duffy and Patrick Brady, we are pleased and doe hereby order that the said Phillip O'Duffy, giving bond with sufficient security to the Clerk of the Councill to his Majestie's use of the penalty of one hundred pounds sterling, with condition that he shall appeare at the Councill Board within tenn dayes after notice for such his appearance shalbe left in writeing at the now dwelling house of [blank] Standish, in High-street, scituate in the citty of Dublin, and not depart without lycence of the said Councill Board in writeing first obtained, upon certificate of the said Clerk of the Councill of the said Phillip O'Duffie's giving such bond, the Marshall or gaoler in whose custody he doth remaine shall sett him at liberty, [he] paying his fees. But the other petitioner, Patrick Brady, is to be continued in restraint untill we shall give further order concerning him.—ORMONDE."

Dr. Robert Gorges.<sup>1</sup>—"That upon your petitioner's humble application formerly made to your Grace, your Grace was favourably pleased to refer the consideration thereof to my Lord Anglesey,<sup>2</sup> and his Lordship, being satisfied in the truth of your petitioner's allegations, was pleased to report his opinion to your Grace that your petitioner ought to receive satisfaction for his annuity according to his grant, and that the Auditor-Generall should issue out debentures accordingly, and though your Grace hath been pleased to signify your concurrence to the said report, as by the annexed will more fully appeare, yet so it is, may it please your Grace, that Sir James Ware, his Majestie's Auditor-Generall, finds the prayer of your petitioner's former addresse to issue out debentures from the date of his Majestie's said grant, and though the said grant now of record in the said Auditor's office expressly declares the commencement of your petitioner's right to be from his last payment as assignee to Collonell Christopher Roper, late deceased, and though

<sup>1</sup> Manager of the affairs in Ireland of James, Duke of York, subsequently James II.

<sup>2</sup> Arthur, Earl of Anglesey, Vice-Treasurer of Ireland.



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the Earle of Anglesey, as aforesaid, reports to your Grace that your petitioner ought to receive his arreare according to the said grant, yet, his Majestie's Auditor-Generall being not satisfi'd therewith, your petitioner humbly prayes your Grace's expresse order to the said Auditor that, pursuant to the aforesaid report made by the Earle of Anglesey, and pursuant to the time limited by the letters pattents, your petitioner may receive debentures for the aforesaid annuity or pension. And he shall pray.

"Kilkenny Castle, 6 October 1666.—We pray Sir James Ware, Knight, his Majestie's Auditor-Generall, to certify us what the difficulty is why the petitioner should not have debentures for the pension in the within petition mentioned, as is thereby desired, and thereupon we shall signify our further pleasure.—ORMONDE.

"May it please your Grace: In obedience to your Grace's order, I have considered of the first and second petition of Dr. Robert Gorges, and I find that by his first petition to your Grace hereunto annexed he desired onely your Grace's warrant to me to make out debentures for his pension of six shillings sterling per diem from the date of his Majestie's letters pattents granted to him of the said pension, which letters pattents doe beare date the 15th day of July 1665, and thereupon procured your Grace's order to me to make out debentures for his arreares of the said pension. But, upon perusall of the said letters pattents, I find that his Majestie hath been graciously pleased to grant unto him the said pension, as he truly informeth in his second petition, from the time of the last payment thereof unto him as assignee to Christopher Roper, which last payment I find to be at Michaelmasse 1663, so as the difficulty arising onely by the mistake of Dr. Gorges' first petition, I am humbly of opinion that your Grace may be pleased to give order to me to make out debentures from the time of the last payment unto him of the said pension as assignee to the said Christopher Roper, which I humbly certify and submit, etc.—JAMES WARE.

"Kilkenny Castle, 22 October 1666.—Upon consideration of the foregoing certificate of Sir James Ware, Knight, his Majestie's Auditor-Generall, made in pursuance of our order of reference, given the sixth day of this month, upon the petition of Dr. Robert Gorges, we are pleased and do hereby order that his Majestie's Auditor-Generall shall make out debentures to the said Doctor Robert Gorges for the pension in the said petition and certificate mentioned, from the time of the last payment made unto him of the said pension as assignee unto Christopher Roper. And for so doing this shall be a sufficient warrant.—ORMONDE."

Rowland Bunting.—Recovery of debt from Captain John Stockton.—6 November 1666.

Timothy Michellburne.—Recovery of debt from David Kennedy, of the Life-Guard.—29 October 1666.

John Gardiner.—"That your petitioner was clerk unto his Excellency the Earle of Ossory his troope for the space of fourteen months, dureing which time your petitioner gave and layed out to the use of Sir George St. George, Captain-Lieutenant to the said troope, the summ of one hundred fifty-two pounds, five shillings, and two pence, over and above his owne pay and his servants' pay, for which summ or any part thereof the said Sir George denieth to make any satisfaction, and hath also disbanded your petitioner at the muster taken the last of June 1666, notwithstanding that your petitioner had your Grace's furloe to be absent untill the nynteenth day of July following, which the Muster-Master had with him at the said muster, to your petitioner's utter ruine if not releived by your

Grace. Your petitioner's humble request is that your Grace may charitably be pleased to order Sir George St. George to satisfie your petitioner of the above debt, and any other officer or souldier of the said troope the debts by them owing unto your petitioner, otherwise to appeare before your Grace to shew cause to the contrary; and graciously to order that your petitioner may receive his pay as trooper in the said troope untill the expiration of your Grace's furloe, your petitioner having had noe account of his pay since January 1663. And your petitioner shall, etc.

"Dublin Castle, the 7 November 1666.—Sir George St. George is required, within ten dayes after sight or notice hereof, to make answer in writing to this petition.—ORMONDE."

Margaret Fennell, "the widow and relict of Dr. John Fennell."—"That your petitioner is delayed this seventeen months from haveing the benefitt of your Grace's severall orders for the mortgage of Kilkonery, occasioned by the misinformation of some pretending to it, and after severall references to the Commissioners and from thence to [blank], on both sides, and last of all your Grace's Commissioners, by consent of all partyes, referred the matter to Sir Tho[mas] Longeville, who has accordingly called all partyes before him and examined the matter thoroughly, as may appeare by his report hereunto annexed,<sup>1</sup> and his opinion, thereunto signed, that the benefit of the mortgage belongs unto your petitioner in right of the two eldest daughters of William Fennell, whom the petitioner satisfied for the said morgage. May it therefore please your Grace to confirme your Grace's first order of £100, as your petitioner compounded for, and that your Grace may not suffer your petitioner to be further delayed, she being indebted more than the money comes to [by] her constant prosecution thereof.

"Dublin Castle, 12 November 1666.—Upon consideration of this petition, and of the annexed certificate<sup>2</sup> of Sir Thomas Longevill, Knight, we are pleased and doe hereby order and require that the Commissioners for the management of our estate shall, out of our moneyes, cause the summe of £100 in the said petition mentioned to be payed unto the petitioner, Margaret Fennell, the relict of Dr. John Fennell. And for so doing this, with her acquittance confessing the receipt thereof, shall be a sufficient warrant.—ORMONDE."

Richard Row, Thomas Hart, Gerald Wallis, Nicholas King, William Barker, and Paul Aulfrey.—Praying that their certificates for lands may be passed in one patent, under "Explanatory Act."—13 November 1666.

Thomas, Earl of Ossory; Richard, Earl of Burlington and Corke; Roger, Earl of Orrery; Richard, Earl of Arran; and Robert Boyle, Esquire.—"That by the Explanatory Act, page[s] 143 and 144,<sup>3</sup> your petitioners, their heires and assignes, are to have the full benefitt of his Majestie's letters of the 24 July 1665, so farr forth as your Grace shall find the generall matters and things therein to be consistent with or agreeable unto his Majestie's gracious Declaration, or the Act of Settlement, or Act of Explanation, or any of them, an extract whereof is in the paper hereunto annexed.<sup>4</sup> May it therefore please your Grace to take so much of the said letters as doth not relate unto the [16]49 Security into your Grace's consideration, and to cause such further proceeding to be made thereupon as, upon consideration had thereof,

<sup>1,2,4</sup> Not in the MS.

<sup>3</sup> Section 279 of Act referred to.

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and of the said Act, your Grace shall think fitt, and your petitioner shall ever pray, etc.

"Dublin Castle, 15 November 1666.—We pray our very good Lords, the Lord Baron of Santry, Lord Cheife Justice of his Majestie's Court of Chiefe Place, and the Lord Cheife Baron of his Majestie's Court of Exchequer, to consider of this petition, and the paper annexed, as also of the clause in the Act of Explanation, pages 143 and 144, and of his Majestie's letters of the 24 July 1665, therein mentioned, and haveing called before them the agent of his Royall Highnesse the Duke of Yorke, Sir James Shaen,<sup>1</sup> the late Agents imployed into England on behalfe of the Romane Catholicques,<sup>2</sup> the Lord FitzHarding's agent, and such others whom they shall find to be concerned herein as they shall think fitt, and haveing heard what they have to say or offer herein, to certify the same unto us, together with their opinions therein, and whether the severall matters and things in the said letters, or which of them, or how farr forth the same respectively are consistent with or agreeable unto his Majestie's gracious declaration of the 30 of November 1660, the late Acts of Settlement and Explanation, or any of them, (excepting onely what relates unto the [16]49 security;) whereupon wee shall proceed to do further herein as wee shall find to be just and warranted by the said clause in the Explanatory Act.—ORMONDE."

Emor Tournay.—Recovery of debt from James Barkely, of Dublin, wheelwright, and "servant to his Grace."—15 November 1666.

Edward Davys.—"That your petitioner hath continued in restraint in the Marshalseyes of this citty for the space of nine weekes upon suspition of breaking open the mails. His humble request to your Grace is that you would be pleased to examine the truth of the matter, and if your petitioner can clear himselfe of that crime that he may be set at liberty, otherwise to be continued. And he shall pray.—EDWARD DAVYS.

"D[ublin] Castle, 25 November 1666.—We pray the Lords of his Majestie's Privy Councell sitting in our absence to informe themselves concerning the truth of this matter, and to do therein what they shall find to be just.—ORMONDE."

Viscount Baltinglas.<sup>3</sup>—Arrears of pay due for service as Ensign in the Earl of Barrymore's company.—22 November 1666.

Henry Aland.—Replevin of cattle seized on petitioner's lands in the county of Wicklow, on account of assignment of rent arrears arising out of lands not in petitioner's possession.—27 November 1666.

Case of John Brough.—"To the King's most Excellent Majestie: The humble petition of Ann, wife of John Brough, Chirurgeon, now prisoner in the citty of Dublin, in your Majestie's kingdom of Ireland, and late servant to Mr. Teddar, Chirurgeon in Ordinarie to your Majestie—Sheweth: That your petitioner's said husband having the hard fortune to lodge in the house of a quarrelsome landlord in the said citty, who violently assaulted and wounded him in severall places, to the apparent hazard of his life, for preservation whereof, and after your petitioner's said husband had defended himselfe as long as he was able, seeing no hopes of safety at last unhappily gave his said landlord a wound, whereof he not long after died, for which your petitioner's said husband was condemned to suffer death; but the said wound being

<sup>1</sup> Cessor, Collector and Receiver-General of the Province of Leinstre, and Registrar of the Court of Claim.

<sup>2</sup> In relation to the "Act of Settlement."

<sup>3</sup> Cary Roper, third Viscount Baltinglas.

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given in his owne defence, as may appeare by certificate annexed,<sup>1</sup> he was by his Grace the Duke of Ormonde, Lord Lieutenant of the said kingdome, reprieved for a certaine time, yet must undoubtedly die for the same in the very prime of his dayes, to the ruine of your poore petitioner, and her great charge of four small children, without your Majestie's clemency and goodness be extended towards him herein. And therefore most humbly prayes that your Majestie will be pleased to grant her said husband your Majestie's gracious pardon for the said offence, as being the first that ever he committed and in his own defence, for which he is very penitent. And as in duty bound, shall every pray, etc.

"At the Court at Whitehall, the 25th September 1666. — His Majesty is graciously pleased to referr the consideration of this petitioner's request to his Grace the Duke of Ormonde, Lord Lieutenant of Ireland, to report his Grace's opinion thereupon to his Majestie, whether he is a fitt object of his mercy, and then his Majestie will declare his further pleasure.—ARLINGTON.

"The humble petition of Walter Brough, in the behalfe of his brother, John Brough.—Humbly shewing: that the King's most Excellent Majestie, upon the petition of Ann Brough, on the behalfe of her husband, the said John, and of the certificates thereunto annexed, some of which are also hereunto annexed,<sup>2</sup> and in consideration of their great charge, having four small children, was graciously pleased to grant an order of reference unto your Grace, bearing date the 25 of September last, to make your Grace's report if the said John be a fit object of his Majestie's mercy, which said reference is also hereunto annexed.<sup>3</sup> Now for that the said John, for his act rashly committed through provocation, and that as he hath been serviceable to his Sacred Majestie in his subjects, soe he may be much more, and that his poore children, if he should suffer, are like to starve for want, your petitioner humbly beseecheth your Grace to be moved with compassion and to grant further tyme unto the said John, till such tyme as his Majestie's pleasure shall be knowne upon your Grace's report, as also that your Grace wilbe pleased to report with as much favour as possible upon the said reference, and your petitioner shall pray, etc.

"The 13 day of November 1666.—Referred to his Majestie's Judges, before whom the within named John Brough received his tryall, to consider of the within petition of Walter Brough in the behalfe of his [brother,] the said John Brough, and certifie unto us the state of the matter of fact appeareing to them upon tryall of the said John Brough. And we are pleased that the said John Brough, and also Sarah Wells,<sup>4</sup> who, as wee are informed, was condemned concerning the said matter, be reprieved untill the last day of January next; whereof all persons concerned are to take notice.—ORMONDE.

May it please your Grace,—In obedience to your Grace's order of reference dated the 13th November last, grounded upon the petition of Walter Brough, we humbly certify that in Trinity terme last the petitioner's brother, John Brough, with one Sarah Wells and Ellinor Ludman, received their tryalls before us in his Majestie's Court of Chiefe Place for the traitorous murder of William Wells, husband to the said Sarah Wells, and the said John Brough and Sarah Wells were then and there found guilty of the said murder and received sentence of death, upon which a writt of execution was awarded; that shortly afterwards

<sup>1,2,3</sup> Not in the MS.

<sup>4</sup> See p. 6.

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upon the petition of the said Sarah Wells pretending herself to be with child, though at her tryall soe confest she was not quick with child, your Grace, in your wonted justice, in order to your owne satisfaction in matter of fact, was pleased to order respite of execution for some short tyme and to require our report therein to your Grace, which we accordingly made, the substance whereof, soe farr as we conceive proper upon your Grace's present reference, is as followeth, viz. : It appeared upon the evidence on the said triall by testimony of one Dilkes, a foot souldier, that he being in the house of one Nichola Harrison, next doore to William Wells his house, heard one cry out 'murder' in his the said Wells his house; and the said Nichola Harrison's mayd upon her oath affirmed that she, being at the same tyme in her mistress's cellar, which was under the said Wells' lodging-chamber, heard one cry out 'murder,' and that immediately much blood fell betwixt the boards upon her. Whereupon the said Dilkes upon his oath affirmed that he and some others went immediately to the said Wells his doore, where they found all very still and quiet, and demanding oft, and very hard, what was the matter, noe answer was returned for above the space of halfe a quarter of an houre. But the said Dilkes and others with him threatening thereupon to break open the doore, the said Sarah Wells told the said Dilkes and others with him then standing at the doore, that they could not come in, for that the doore was lockt and the key was in her husband's pockett. Whereupon the said Dilkes, running violently with his foot against the said doore, the lower part of it flew open, the upper part of it, it being a hatch doore, being lockt and the key in it. And then, being somewhat after 11 of the clock in the night, the said Dilkes, and others with him, entered the house of the said William Wells, where they found him the said Wells lying on his face speechless and wounded in five places within his own bedchamber, and the said John Brough standing in the next roome within two yards of the said Wells his chamber, with his sword drawn and bloody, and the said Sarah Wells, whose apron was all blood, and Ellinor Ludman standing a little behind him, the said Brough; and the said Dilkes and others with him disarming the said John Brough, he, the said John, then and there said, that what was done, he did it. With all which testimony of the said Dilkes concurred the testimony of others with him, who all agreed that at their entry into the said Wells his house they only found in the said house, besides Wells his dyeing corps and the said John Brough, Sarah Wells, and Ellynor Ludman, young Wells, son to the said William Wells, a child of about eight yeares old, and a woman in nature of a maid servant, who, [by] meanes of the [said] Sarah, as the said Dilkes and others affirmed they believed, was on a sudden shuffled out of the said house. And [it] further appeared by the testimony of the said young Wells that the said Sarah Wells having bin out in the towne with the said John Brough the greatest parte of that day, his father, the said Wells, at her coming in, which was about nine a clock, being about an hour before the said John Brough came in, was very angry with the said Sarah, his wife, for being out with the said Brough, and gave her severall angry words. And the said Nichola Harrison upon her oath gave evidence that about an houre and something more before 'murder' was cryde out in the said Wells his house, with him further testified that, immediately after their said entry into the said house, the said Sarah very briskly and unconcerned sayd, 'I'll take my oath my husband began,' though noebody gave the least occasion of saying soe either by askeing her any question or otherwise. And, last, we humbly certify that it did not appeare unto us, at the said John Brough's and Sarah Wells' tryall, that the said William Wells had any weapon offensive or

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defensive in his hand at the tyme of his being slaine as aforesaid, or that he gave the least occasion of quarrell at that tyme to the said John Brough, he, the said William Wells, being on or in his bed with his son, when the said Brough came in, and had only some few clothes loosely on when he was slaine, onely the said John Brough and the said Sarah Wells affirmed that the said William Wells began the quarrell, and with a chamberpot hurt the said John Brough in the head or forehead, and one Dr. Fountaine<sup>1</sup> produced on Brough's parte, ore tenus, said that he, seeing the said Brough presently after the fact done on Wells, did observe him hurt as aforesaid, but how, or by whom he knew not. All which is most humbly submitted to your Grace's wisdom and just consideration this 29th day of December anno Regis Caroli Secundi Angliæ, etc. 18 annoque Domini 1666, by your Grace's most humble servants, WIL. ASTON.<sup>2</sup>—THO. STOCKTON."<sup>3</sup>

"On the forgoeing petitions and report of the Judges was granted this following letter :

"My Lord : About two months since I received a reference from his Majestic, bearing date the 25th day of September last, on the petition of Ann, wife of John Brough, now a prisoner here and condemned for the killing of one Wells, and immediately thereupon gave orders to the Judges, before whom the said Brough was tryed, to certify me how the matter of fact appeared to them upon the tryall ; and the Judges having returned me their certificate, I have herewith transmitted the same to your Lordship, having nothing more to say in a matter appearing soe fowly before the Judges, but humbly offer and submit the same to his Majestie's consideration and pleasure, which it is necessary I should receive if possible by the latter end of this month, in regard the time to which the petitioner is reprieved wilbe then expired and so I remaine, my Lord, your Lordship's most affectionate humble servant, ORMONDE."

"Dublin Castle, the 12th of January 1666."

"To my Lord Arlington."

Lady Sterling<sup>4</sup>.—Recovery from Randal Moore<sup>5</sup> of jointure and monies reserved to petitioner on her marriage with Sir James Moore, and accruing out of lands in the county of Louth now rented from her by Randal Moore, etc.—31 January 1666[–7].

Paul Brazier.—Recovery of profits of lands, in Donegal, of which petitioner had been dispossessed by the Trustees of "the 1649 Officers."—2 February 1666.

Edward Chamberlain.—Recovery of debt from Humphry O'Keaver, Lieutenant of a foot company in the Isles of Arran.—24 January 1666[–7].

Michael Berford, of Kilcow, county of Meath.—Repossession of lands in Donamore, decreed to petitioner by Court of Claims, and now held by Mr. Janes of Blackcastle.—31 January 1666[–7].

<sup>1</sup> James Fountaine, Surgeon-General, Ireland. See p. 502, Appendix to Eighth Report of this Commission, Part i., 1881.

<sup>2</sup> Sir William Aston and Thomas Stockton, Justices, King's Bench, Ireland.

<sup>4</sup> Jane, daughter of Edward, Lord Blaney, and widow of Sir Robert Sterling. She had been previously married to Sir James Moore, son of Sir Garret Moore, first Viscount Mellifont.

<sup>5</sup> Randal Moore, brother to Henry, Earl of Drogheda.

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Henry Bankes, gentleman.—“That your petitioner, having been soe severely dealt withall by the late Lord Archbishop of Tuam,<sup>1</sup> (as the annexed case betwixt them truly discovers,) hath yet, in reverence to a person of his eminence in the Church, and in expectation of finding a remedy for the evil at the length from himselfe, soe long forborne to seeke it elsewhere, that he is now dead, not having taken any course for the restitution of those monys and other goods of the petitioner mentioned in the annexed paper, of which he soe illegally possesseth himselfe and deteyned; that now the said Lord Archbishop's executors, his widdow and his sonne, are making their applications to your Grace for a grant of the halfe yeare's rents belonging to the sees of Tuam and Kilfenorah, due the next Lady Day. His most humble request therefore is, that, seeing, as your petitioner's counsell adviseth him, the action at law he had against the said Lord Archbishop being personall and perhaps dying with himselfe, he may be left remedyless at law against his executors (into whose hand are now come all the said monys, medalls, rings and jewells, sealed up in bags, with the other goods and writings, without any embezzlement hitherto) that your Grace would be pleased, out of your knowne love to justice, to order the restoring of the said monys and other goods to your petitioner before your passing a grant of the said rents unto them, or, otherwise, if the said rents are not to be granted to them, to order some expedient for your petitioner's reliefe herein, it being the most considerable part of his present fortune, his father's estate and family having been totally ruined by his sufferings for his late Majestie of blessed memorie. And your petitioner, as in duty bound, shall ever pray, etc.—HENRY BANKES.

“The case betwixt Samuell [Pullein], Lord Archbishop of Tuam and Henry Bankes.—The said Henry Bankes was brought over into this kingdom by the late Lord Primate Bramhall,<sup>2</sup> who, finding at his coming over the office designed for him predisposed by patent by his predecessor,<sup>3</sup> obteyned another for him from his brother-in-law, the said Lord Archbishop of Tuam, whom, upon further knowledge, his Grace invites to a domestique residence with himselfe and to take upon him the general agency and management of his affaires, which with that diligence attended with such successe he pursues, that he advanced his revenue from £600 (for soe his Grace's agents had sett his estate the yeare before he tooke on him the said employment) to £1,500 per annum, besides an accompt given of above £1,500 more raised by way of fines upon settling some part of the lands in lease. His Grace's affayres being soe well ordered, the said Bankes thinks to recede from those employments to follow his owne, being made Chancellor of some diocesses in that province. Soe delivers up to his Grace an account of all trusts comitted to him, wherein all matters were so particularly stated that, after a previous diligent search and enquiry, noe just exception was or could be taken thereunto. Yet, notwithstanding, his Grace, overruled, as the said agent conceives, by the too powerful perswasions and influence of his wife and his sonne, who both hated him (the one, for preferring the good of the see to the private advantages she designed thereout for herselfe, the other as coveting his employments, both which designs they since compassed,) was induced to committ this hereafter mentioned force and violence against the said Bankes, forgetful thereby of services that deserved a better requitall, and of his quality as being a Justice of the Peace for that and

<sup>1</sup> Samuel Pullein, sometime Chaplain to the Marquis of Ormonde, was appointed Archbishop of Tuam in January, 1660-1661, and died in January 1666-1667.

<sup>2</sup> John Bramhall, Primate of Ireland, 1660-1668.

<sup>3</sup> James Ussher, who died in 1656.



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the neighbouring county. His Grace takes occasion to employ the said Bankes at 20 miles distance from his house; then causeth the castle gates to [be] lockt up; convenes his servants; acquaints them with his designe of breaking into the said Bankes his study, and breaking open all his trunks and searching them. All his servants refuse to obey him (and for that reason severall of them were turned out of his service,) except two of the meanest, and those persons of a leud and dissolute life. Soe his Grace, his wife, and those two servants break open the said Bankes his study doore, guarded with two locks, from thence take all the papers, letters, writeings, which either concerned the said Bankes his particular affaires, or any others committed to his trust, of both which sorts there were some very considerable, as evidences for land, leases, letters of private affayres of great concernment, and discharges for debts formerly due by the said Bankes and his father for above 5,000*l.*, the specialtys for which debts remaining many of them of the creditors hands, those discharges are his only security against the double payment of them, with other papers of accompts for great sums of mony. Next they repaire to the said Banks his lodging-chamber doore, which strongly likewise lock'd they break open, and thereout carry 10 or 11 trunckes and boxes of the said Bankes his goods. One of the said truncks first his Grace causeth to be broke open, wherein was about £40 in mony and the keys of all the rest, with which he causeth them all to be opened; and, strictly searching them, what writings and other things the said Lord Archbishop and his wife found to their liking they tooke out and lock'd up in their owne truncks, and particularly two bags sealed, having £100 in English mony, severall other bags, sealed up, wherein were neare a £100 in medalls and rare forreigne coynes, a bag of ringes, jewells, etc. of about £50 vallue, severall leases whereon were due to the said Bankes about a £100 from severall lessees, besides a lease which the said Bankes had obtained of the said Lord Archbishop upon payment of 4 yeares income, by way of fine for the same, which having gott, his Grace reseized the lands, much of which monys, medalls, etc. the said Bankes brought with him out of England, and pays yet interest for the same; and since his Grace has seized another trunck of the said Bankes', wherein were all his bookes, printed and manuscript, and the remainder of all his private writings, letters, etc. which he had in the world. All which particulars, soe violently and illegally seized on, his Grace kept during his life and hath now left to the custody of his widdow and sonne (his executors) where at present they remain.—HEN. BANKES.

“Dublin Castle, 9 February 1666[–7].—The widdow of the late Lord Archbishop of Tuam and her sonn above mentioned are hereby required to make present answer in writeing to this petition.—ORMONDE.”

Joshua Rowlandson.—Recovery of debt from Hugh Barclay, clerk of the stores, ordnance and magazine at Londonderry.—22 February 1666[–7].

“The reply of Henry Bankes to the answer of William and Frances Pulleyn to the petition and case of the said Henry Bankes:—The said Henry to the said answer replies and saith that the [said] William cannot be ignorant of the said Henry's advancing the revenue of the sees of Tuam and Kilfenorah from £800 to £1500 per annum, nor yet of his raising for the Lord Archbishop of Tuam's use above £1500 in fines the severall rentalls (both of the said Lord Archbishop's former agents, and the latter of the said Henry's improvements,) together with the schedule of the mentioned fines, which manifest the same, having been delivered by order of the said Lord Archbishop to the said William, his sonn, upon the said Henry's quitting the said Lord Archbishop's employments. And

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further the said Henry saith that it is a mere pretence (to give some colour to the violent seizure of the said Henry's monys, writeings, and other goods by them both contrived and by one of them executed,) to alledge the said Henry's not having accompted to the said Lord Archbishop at the time of the mentioned seizure, for that the said Henry had some months before the said seizure delivered up to the said Lord Archbishop the accompts of his whole trust; whereby after a review had of them by a gentleman, (sonn-in-law to the said Lord Archbishop, to whom the inspection into and stateing of the said accompts was by mutuall consent referred,) it appeared that the said Lord Archbishop remayned indebted to the said Henry above £40 sterling, not the least check to the said account being then offered at by the said Lord Archbishop, or any on his behalfe, though then required by the said auditor. And whereas it is alleaged by the said William and Frances that all the writeings and papers which were taken from the said Henry were secured in trunks and not opened till the said Henry came to view them, the truth is, that, when the said Henry's study doore was broke open, all the writeings and papers in it (both of the said Henry's and others committed to his trust) were taken thence and carryed into the said Lord Archbishop's lodging-chamber, and there care[le]sly throune together on one comon heape, where they lay severall dayes exposed to the view, search, and purloyning of all such servants and others as had their usuall accesse to the said chamber. Which when the said Henry, after his returne to Tuam, understood, being not vainely fearfull of his owne utter ruine by the losse of papers of soe great concernment to him, he begged of the said Lord Archbishop that they might be secured under lock till he should be pleased to restore to him his owne writeings and others in charge with him not relative to his Grace or his sees; which was then granted, and afterwards the said Henry commanded by the said Lord Archbishop to attend the view and division to be made of all the said writings and papers, at which time the said Lord Archbishop did restore unto the said Henry many of his owne proper writings (but not all) together with his private letters (then out of comon sence of humanity restored unlooked into) but did not leave him an inch of paper, that might be imagined to belong to himselfe or his sees. These, with the rest of the said Henry's trunks and goods, were left by the said Henry at his late going into England at the Lord Bermingham's<sup>1</sup> house neare Tuam; after which the said Frances and William, possessing the said Lord Archbishop with an opinion how usefull for some respects might be the having againe in his custody and thorowly reviewing all the said Henry's writings and papers, (which he had formerly restored him,) perswade his Grace to send for a replevin, which, upon the specious pretense of the said Henry's having surreptitiously conveyed the writeings of his sees into an obscure place where they had discovered them, was granted for five trunks full of writeings belonging to the said Lord Archbishop and his sees. By colour of which replevin, upon such false suggestions obtayned, the said William Pullein repayres to the Lord Bermingham's house and causeth to be broken open againe ten or twelve trunks and chests of the said Henry's goods, and from thence conveys unto the said Lord Archbishop's all the said Henry's library of bookes, both printed and manuscript, and all his private and proper writeings and letters, (both originalls of others and coppies of his owne,) which have all of them been viewed and examined to a syllable, and, (as he hath been informed,) his owne papers and writings of

<sup>1</sup> Francis Bermingham, Baron of Athenry. See p. 1.

concernment, (which must needs bring on his finall ruine and destruction) out of an implacable malice and hatred to him imbealed by them, and all his private affayres and business (impertinent to anything relating to the said Lord Archbishop) made the comon discourse of his whole family and of all others to whom they are pleased to relate them."

"And whereas it is further alleged by the said William and Frances that they have never seen the monys, rings, jewells, medalls, forreign coines, etc. forceably taken from the said Henry, as in his petition and case mentioned, 'tis evidently knowne to above twenty witnesses that the said Frances did actually assist at the breaking open the said Henry's study and chamber doore, carrying away his goods, striking at the lock of the mony trunk, in endeavouring to break it open, and locking up in her owne trunks the said mony and other goods, and that afterwards when the said Lord Archbishop had a desire to know the value of what he had soe taken away, and to that purpose resolved to unseale the bags, (being admonished of the greater danger of doeing it privately,) he sends to severall of the neighboring gentlemen to come to him, to be witnesses of what was found in them at their opening; in whose presence (the said Henry being absent) the box which had been locked againe after the first view was broke open by the said Lord Archbishop's command, the baggs unsealed, the monys told, in which actually assisted the [said] Frances and William Pullein; a particular of it and the other goods taken, and attested by severall of the by-standers, and a copy of it by the said Lord Archbishop's orders sent to the said Henry, to compare with his owne particular, least any part of the said monys and other goods might be privately concealed from him, as the whole was publiquely forced from the said Henry.

"And whereas it is further objected by the said Frances and William Pullein that the said Henry had delivered up bonds for fines which the severall lessees would not owne, 'tis answered that the reason for their denying to owne or discharge the aforesaid bonds was in respect their leases (which were left in the said Henry's custody for his security for such his undertaking for them, and were upon breaking open the study and trunks of the said Henry's, seized on by the said Lord Archbishop,) were from thence and yet their fines demanded, as in like case by the aforementioned force; there being found (amongst other leases) one lease of a castle and some lands adjoyning granted to the said Henry by the said Lord Archbishop under his hand and seale, and confirmed by Deane and Chapter; the said lease was nulled by the said Lord Archbishop, the said Henry dispossessed by force from his said holding, notwithstanding it was the first lease whereof the said Lord Archbishop made promise of at his coming to that see, and that accordingly, by vertue of the mentioned lease, the said Henry and his undertenants had been in peaceable possession thereof for four yeares, and that he had satisfied to the said Lord Archbishop four yeares' fine for the lease at the augmentation rent. With this sad example the forementioned lessees being forewarned, 'tis noe wonder that they should deny the bonds till they got their leases; that some of them immediately upon the delivery of their leases did satisfy to the said Lord Archbishop the said bonds, and the rest declared to doe soe when they should receive their leases, as by certificates under hands the said Henry can make appeare.

"By all which, and what other proofes and evidences the said Henry can upon occasion produce, it may evidently appeare, how the said William and Frances Pulleyn have purposely framed severall forced calumnyes wherewithall to defame the said Henry before authority, that

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he might be judged to meritt the ill usage he met with from them and that he might be discountenanced by some in authority from prosecuting his legall reparation. Amongst which said devised accusations these following, mentioned in severall places of the said William and Frances their answer, may take their place, viz. that the said Henry keeps in his hands to the value of £400 due to the said Lord Archbishop, (whereas the said Lord Archbishop was before the mentioned force and seizure considerably in the said Henry's debt); that the said Henry had converted some concealed profits of tythes due to the said Lord Archbishop to his owne use, (whereas the said Henry was soe far from doing it, that to encrease the said Lord Archbishop's tyth revenue he hath heightened it with the addition of his owne fees allowed him for the employment); that the said Henry kept tyth bonds soe long by him that the debtors became insolvent, (whereas at every Assizes in the countyes of Gallway and Mayo the said Henry did prosecute the deficient debtors to the utmost of the law, at his owne charge of travelling expenses;) that the said Henry had defrauded the said Lord Archbishop of above £2000, and that £1500 thereof was returned by him at one time into England, from whence 'tis pretended he never brought any summe of monys, whereas all the defrauding that doth or can appeare upon this contest is of him not by him; that in all his life-time he never returned for England to the value of £400, a summe much short of what at severall times he brought hither from thence; and whereas, at the present, by reason of some unlucky sequells of his first speedy coming into this kingdome and the late unhappy seizure and detention of his monys and other goods aforesaid, hee is brought into a lower condition of fortune than he remayned in at his first coming over, as having been forced by the forementioned unfortunate obstructions to quit a lease for life of £80 per annum for £150 in monys, and to sell of this last sommer the remainder of his inheritance (saved from the gulph of the late warr in England) at too low a rate, as that which cost his predecessors above £1500 and himselfe in improving above £500 more, yielded now not £600, the time for reducing the mortgage being elapsed, and the creditor having gotten into possession of the mortgaged premises, whilst the said Henry was attending here for some issue of his unhappy business with the said Lord Archbishop and the receiving his monys of him, which should have redeemed the mortgage.

"Upon consideration of all which foregoing passages, 'tis now the renewed humble suit of the complaynant that his Grace the Lord Lieutenant would continue to take further cognizance of this injury don unto him, and, if it properly fall within the compasse of that sphere wherein his Grace doth move, to find an expedient for the redressing of it, as well in regard such unusuall wrongs and oppressions are seldome heard of under governments where Christianity and peace reignes, comitted, surely never unredressed, as also in respect that the making more publick so foule a fact (with other aggravating circumstances, which here are purposely omitted,) may not staine the memory of a person of soe great eminence in the church as the said Lord Archbishop was, and one of a naturally good disposition, if a violence had not been committed against it by those whose found out the opportunityes of old age accompanied with infirmities too seasonable to work upon their malicious suggestions and by their too powerfull perswasions to modell him to their designs. The execution whereof in this aforesaid particular force against the said complaynant the said Lord Archbishop hath more than once with teares lamented, but still meanes [were] found out by those evill advisers to debar the said complaynant from receiving any fruits of that repentance. And he shall pray, etc.—HEN. BANKES.

"Dublin Castle, 5th March 1666.—We pray the most reverend fathers in God, the Lord Archbishop of Armagh,<sup>1</sup> Primate and Metropolitan of all Ireland, and the Lord Archbishop of Dublin,<sup>2</sup> Primate and Lord Chancellor of Ireland, calling before them the plaintiffe and the defendants in this matter, to examine the difference between them and to certify us the true state thereof, with their opinion what they shall conceive fit for us to do therein.—ORMONDE."

The Earl of Westmeath.<sup>3</sup>—"That the petitioner by special provision in his Majestie's gracious Declaration, and, after, by a clause in page 21 of the Act of Settlement, was to be restored to his former estate without further prooffe; that his Majesty, by his letters of the 24th of October 1664, taking notice that he had designed the restoring of the petitioner to that estate which formerly did belong unto him and his ancestors, wherein, his Majestie's resolution having met with some interruption, he was pleased for the petitioner's present releife, that the impropriations which formerly did belong unto him should be continued unto him, and that he should receive the profits thereof for his subsistence untill his Majestie did provide otherwise for him, directing your Grace, or, in your absence, the Earle of Ossory, then Lord Deputy of this kingdome to give order for the petitioner's quiet enjoyment of the said impropriations, which was accordingly done by warrant of his Excellency the Lord Deputy in your Grace's absence. That the petitioner being lately therein disturbed, on his application to your Grace, he had your warrant not to be outed till he were judicially proceeded against, since which time the incumbent concerned in the said impropriations, or their trustees, have proceeded in the Court of Claimes and obteyned a judgment, pursuant to the severall clauses in the Acts of Settlement and Explanation, the names of the said incumbents, as also the particular of the said severall impropriations are expressed in a scedull hereunto annexed.<sup>4</sup> That, by a clause in page 73 of the Act of Settlement, which is likewise continued and confirmed in page 27 of the Act of Explanation, it is declared and enacted that it shall and may be lawfull to and for the Lord Lieutenant, or other Chiefe Governor or Governors of Ireland for the time being, to allot, assigne, and appoint unto all and every person and persons (who by the rules of the said Act of Settlement shall or may be restored) such recompence and satisfaction out of such impropriations as to him or them shalbe thought fitt and reasonable, which recompence and satisfactions soe as aforesaid to be assigned, shalbe by vertue of the said Act of Settlement received and enjoyed accordingly. The petitioner therefore most humbly beseecheth your Grace, pursuant to the said severall clauses in both said Acts, that your Grace may be pleased to take into consideration the yearly vallue of the petitioner's said impropriations, and to order him such recompence and satisfaction thereout as to your Grace shalbe thought fitt and reasonable,

<sup>1</sup> James Margetson, Archbishop of Armagh.

<sup>2</sup> Michael Boyle, Archbishop of Dublin and Chancellor of Ireland.

<sup>3</sup> Richard Nugent, second Earl of Westmeath.

<sup>4</sup> The particulars referred to are as follow:—

Cavan, diocese of Kilmore: Improprate tithes of Mullagh, Killinkeere, Kilmore, Kildromfertan, Ballintemple, Annegeliffe, Drowning, Killisardan, Lowy, Urny.—Incumbents: Patrick Maxfield; Edward Dixie; Ebenezer Burch; Ambrose Barcroft; William Sheridan; William Aldridge; Andrew Barecroft.

Westmeath and Meath, diocese of Meath: Improprate tithes of Mayne, Lickblagh, Rathgraffally, Fowre, Foyran, Kilpatrick, Kaghelstown, Rathpatrick, St. Feighan, Our Lady's Church, Rathgarrow, Grangetown.—Incumbents: Thomas Fitzsymons; Hugh Hannagh.

Longford, diocese of Ardagh: Improprate tithes of Abbeylaragh.—Incumbent: Hesketh Ferris.

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the profits whereof being hitherto the best subsistence he had. And the petitioner will every pray, etc.

"Dublin Castle, 22 March 1666[-7].—The severall incumbents above mentioned are required, by themselves or their agent or agents sufficiently authorized and instructed, within eight dayes after the beginning of the next Easter terme, to appeare before us to answer this petition and to shew cause, if any they can, why the request thereof should not be granted.—ORMONDE."

Hugh Montgomery, Captain, clerk of his Majesty's Stores, Dublin.—Delivery, for his Majesty's use, by Commissioners of Customs, of powder bought on board the ship "Orange Tree."—3 May 1667.

Richard Jans, Esquire, High Sheriff of the county of Meath, Thomas Loftus, Thomas Coach, Arthur Purefoy, David Parry, Garret Wesley, Henry Wade, and Stafford Lightburne, Esquire, his Majesty's Justices of the Peace for that county.—"That Owen McDaniel, John Kelly, Brian Dunely, Terlogh McBrian, Thady Oowney, Terlogh McEnteere, and John Smith, alias Gowen, now prisoners committed to the gaole of Trim, who upon their examinations confessed themselves guilty of severall felloneys, although upon their tryall they denyed the same, and for want of further evidences more than their owne confessions, as aforesaid, were acquitted at the generall assizes held at Trim for the said county, the 13 April 1667, before Sir William Aston, Knight, Lord Judge of Assize for the north-west circuit of Ulster, yet they still remaine in prison. And your petitioners, considering the evill consequence of such notorious and knowne robbers to be sett at liberty will tend to the further distruction of the country, they therefore humbly pray your Grace will be pleased to grant your order to transport the aforesaid prisoners to the Barbadoes, it being their desire, and there being a ship now in the bay of Dublin bound for that island. And your petitioners shall every pray.—RICHARD JANS.—GERR. WESLEY.—ARTHUR PUREFOY.—STA. LIGHTBURNE.—HENRY WADE.

"Dublin Castle, 1 May 1667.—We conceiving the within petition subscribed by the High Sherriff and severall of his Majestie's Justices of the Peace of the county of Meath, who know in what condition the prisoners do stand, to be a ground sufficient to grant the request of the said petition, are pleased and do hereby order that if any marchants or other person or persons with good suretyes shall give bonds to the Clerke of the Councell, to his Majestie's use, of the penalty of three hundred pounds, with condition that, within six weekes after the enlargement of the said prisoners respectively out of the prison wherein they now remaine, they shall ship themselves for the island of Barbadoes and be transported thither, and not returne into this kingdome without the lycence of the Cheife Governor or Governors thereof for the time being, upon certifiact of the said Clerke of the Councell of the givinge such bonds, the Sherife or gaoler in whose custody the said prisoners do remaine shall set them at liberty.—ORMONDE."

John Goatly.—"That your petitioner, being an Inn-keeper in the city of Waterford, about fower yeares since there were quartered upon [him] by command, the severall persons, whose names are under written, of the Earle of Kildare's troope, who did owe unto your petitioner, for their owne diets and their horse-meat, the summe of twenty-two pounds two shillings, and eleaven pence, as by each man's particular bill under his hand may appeare, attested by Sir John Ponsonby, who was then their Lieutenant and ready to be produced. That all the said persons, except one Richard Atkinson, have been since disbanded by your

Grace's order. That your suppliant, being a very poore man, and having a great charge of small children, not being able to subsist much lesse to take a legall course against them for the recovery of the said money, he therefore humbly craves your Grace, tenderly considering the justness of his cause, his necessitous and deplorable condition, to grant your order that he may receive his mony out of the ten months' pay of those persons who have been disbanded, and out of the ensuing pay of the said Richard Atkinson, who now remains a member in the army. And he shall pray, etc.

"Dublin Castle, 20 March, 1666[-7].—The Muster-Master Generall, or his Deputy, is to certify us what arreares of pay are due to every of the souldiers within named for the tenn monthes within mentioned; and thereupon we shall signify our further pleasure concerning this matter.—ORMONDE.

"May it please your Grace: I find that there is due and in arreare unto John Eaton and John Peale, as private souldiers in the troope of horse under your Grace's command (formerly the Earle of Kildare's) from the 20th of October, 1661, to the 5th of May, 1662, according to the kalender accompt and present establishment, the summe of thirteen pounds, tenn shillings each, and unto William Wetton and George Lupton, from the said 20th of October, 1661, to the 27th of July, 1662, the summ of nineteen pounds, seaven shillings, out of which two pounds and sixpence being deducted for a cloak, there remains due to him seaventeen pounds six shillings and sixpence, which I humbly certify to your Grace this 25th day of March 1667.—RICHARD BARRY.

"Dublin Castle, 9th day of May, 1667.—Upon consideration of the foregoing certificate, the Deputy Muster-Master Generall, or his Deputy, shall prepare a warrant or warrants for the payment of the severall arreares by the said certificate appearing to be respectively due to the persons therein named, to be paid unto them when the arreares due to other souldiers of the army for the times in which their said arreares became due, with the deductions in the said certificate mentioned, and present the same to us for our signature.—ORMONDE."

Commissioners for management of Inland Excise of Ireland.—Recovery of Excise duties, for the counties of Galway, Mayo, and Roscommon, from John Groome, gunner, of Galway.—17 May 1667.

John Comerford, "late of Ballybur in the county of Kilkenny."—"That petitioner is become a suitor to your Grace for 200 acres, or thereabouts, mountaine land, being part of your petitioner's former propriety, by denomination, Ballyvran, in the county of Kilkenny, aforesaid, formerly allotted to one Captain Moore, who deserted the same long since and went into England, where he still remains and the said lott still wast, and nothing paid thereout to his Majestie either rent or quitt-rent, or any other dutie. The premises tenderly considered, and for that your petitioner is extreame poore, and not able to subsist or maintaine himselfe or his poore wife and family, who are in a starving condition unless releived by your Grace: May it therefore please your Grace, in consideracion thereof, to give order that your petitioner may have a custodiam of the said 200 acres for his present releife. And your petitioner, etc.

"Dablin Castle, 21 May 1667.—If the lands desired by the petitioner be in his Majestie's disposall, and not formerly granted to any other, the Barons of his Majestie's Court of Exchequer are to cause a custodiam thereof to be issued to the petitioner, to continue, dureing his Majestie's pleasure, at such rent as they shall hold reasonable.—ORMONDE."

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Captain Charles Farrell.—“That upon your petitioner's application unto his Majestie's Commissioners of the Court of Claims, they were pleased, in pursuance of his Majestie's letter of the 12 day of January 1666[-7], directed to your Grace, and by your Grace recommended to the said Commissioners, to certify unto your Grace that George Almery, Adventurer, hath retrenched the lands of Killishin and part of Old Darrick, lying and being in the barony of Slewmary, in the Queen's County, which are undisposed of in his Majestie's hands, recommending that the same should be granted in custodiam unto your petitioner untill he be restored to his owne estate, if your Grace shall think so fitt. In tender consideration whereof, and forasmuch as your petitioner is reduced to a sad condition of poverty and no longer able to subsist, if not herein relieved by your Grace: It may therefore please your Grace to grant your order that a custodiam shall be granted unto your petitioner of the said lands, from the time of the said retrenchment. And he, etc.”<sup>1</sup>

“Dublin Castle, 31 May 1667.—If the lands which the petitioner desireth in custodiam be in his Majestie's disposall, and not formerly granted to any other, nor lands which did belong to any person or person's nominees, the Barrons of his Majestie's Court of Exchequer are to cause a custodiam thereof to be issued to the petitioner, to continue, during his Majestie's pleasure, at such rent as they shall hold reasonable.—ORMONDE.”

John Gardiner.—Replication to answer of Sir George St. George, concerning recovery of monies expended by petitioner, as clerk to the Earl of Ossory's troop; and with reference to his discharge while on furlough.—30 May 1667.

“The petition of the well-affected brethren of the Corporacion of Shooe-makers.”—“That, from the tyme your Grace's noble ancestors obtained the charter of the said Corporacion, they have through all revolutions, changes, upon all occasions manifested theire constant fidelity and loyalty to the Crowne of England, and alwayes endeavoured not to admitt into theire confraternitie any person suspected or knowne to be of a contrary inclination or principall. That, notwithstandinge, by the undue practice and great sollicitacions of som of the said Corporation, countenanced and backed therein by others, one James Boy hath beene lately elected to be theire Master for the next ensuing yeare, a person whose refractory and disaffected nature and disposition is such as he is not fitt to bee admitted into that imployment; the particulars whereof your petitioners are ready to represent. Your petitioners therefore humbly prayeth your Grace to take such course as the said Corporation may fix upon some other more capable of that imployment and acceptable to all honest and faithfull subjects, especially to those of the sayd Corporation; and withall to bee gratusly pleased to take such farther course to free the said Corporation of such other like principled persons, whose names shalbe presented to your Grace. And your petitioners will pray, etc.

“Exceptions proposed to bee taken against some refractorys and [ill-] principled persons of the confraternitie of the Corporation of Shooe-makers, who ought not to beare any imployment in a kingly government.

“James Boy, supposed Master for the succceeding yeare, at his Majestie's restoration to the Crowne, went through all the citty desiringe a great many of the cittizens to signe to a paper he then had for to protest against Bishops and theire adherents; which beinge then heard by

<sup>1</sup> See p. 29.



the then Mayor of the citty of Dublin, he gave orders that the said Boy should be disbanded and that the standard, or colours, might be taken from him for that the said Boy was an ancient<sup>1</sup> of a foote company of militia.

"Richard Roe, in the time of the usurped powers, did often in the audience of the people bragg and boast that he was at the robbinge and defacinge of his late Majestie's bed-chamber, and other disaffected persons, in the tyme of the Usurped Powers, in the hall of the said Corporation did burne the King's armes; but the canvas whereon the armes was drawne being by some of the bretheren taken out of the fire, he whoe tooke the same out was immediately sent to gaole, and there continued duriinge the pleasure of the said ill-affected persons."

"Dublin Castle, 14 of June 1667.—The Lord Mayor<sup>2</sup> and the Recorder of the citty of Dublin are to examine the matters in this petition mencioned, and to certify us whatt shall appeare unto them therein, and there we shall give such further order as shall be fit.—ORMONDE."

Captain Charles Farrell.<sup>3</sup>—"That upon your petitioner's application unto his Majestie's Commissioners of Claimes, in performance of his Majestie's letters of the 12 of January 1666[-7], directed to your Grace and by your Grace recommended to the said Commissioners, they were pleased to certify unto your Grace that George Almer, Adventurer, hath retrenched the lands of Killishin and Old Darrick, lying and being in the barrony of Slewmary in the Queen's County, which are undisposed of in his Majesty's hands, as they supposed, recommending that the same should be granted in custodiam unto your petitioner untill he be restored unto his owne estate, if your Grace shall think so fitt. And whereas the premisses were disposed of by custodiam unto Mr. Davills by your Grace's order, so as your petitioner could not obtain the benefit of the said Commissioners' order of recommendation; and whereas your petitioner hath found out other lands undisposed of, now remaining in his Majestie's disposall, as by the annexed certificate of the Sub-Commissioners may appeare: It may therefore please your Grace to grant unto your petitioner by custodiam the lands in the Sub-Commissioners' annexed certificate<sup>4</sup> mentioned, since the retrenchment thereof, at the yearely rent of three pence per acre English measure, or otherwise as your Grace shall think fitt, until he be restored to his owne, which is the meanest retribution that he could expect for his manyfold services done to his Majestie and to his Royall father of happy memory. This granted, your petitioner will pray, etc."

<sup>1</sup> Ensign.

<sup>2</sup> John Desmynieres.

<sup>3</sup> See p. 28.

<sup>4</sup> This document contains the following particulars:—

Queen's County, barony of Upper Ossory: The names of "proprietors in 1640" are as follow: Theobald Butler; Morgan Cathin; Ed: FitzPatrick; Jeff: FitzPatrick; John FitzPatrick; William McTeig; Cosnagh Deoran; Teig McShane; Anst: Costigan; Brian McShane; Donogh Oge Keneen.—"Persons' names who retrench": John Short; Margan and Fogge; John Garret, Esquire; Thomas Prior; John Giles; Abraham May; John Humphry; Francis Levelis; Thomas Paul; James Read; Patrick Butterfield; Bartholomew Connor.

King's County, barony of Clonlith: The following are named as "proprietors in 1640": William Carroll; John White; Bennet White; Donogh Carroll.—"Persons' names who retrench": Major John Desbrow; Robert Chaafe; Peter Walker.

At foot is the following certificate: "Upon search made, we do not find any of the particulars in this schedule mentioned to be the propriety of or to be claimed by any nominee; which we certify this 8th June 1667.—John Pettie.—Tho. Taylor."

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"Dublin Castle, 19 June, 1667.—If it shall appeare to the Barons of his Majestie's Court of Exchequer that the lands named in the annexed lyst under the hands of John Petty and Thomas Taylor, two of the Sub-Commissioners in the within petition mentioned, dated the 8th day of this month, are in his Majestie's disposall, and not formerly granted in custodiam to any other person, they are to cause a custodiam thereof to be issued to the petitioner, to continue, during his Majestie's pleasure, at such rent as they shall conceive to be reasonable.—ORMONDE."

Richard Roberts.—Recovery of the price of a horse from Lieutenant-Colonel Moses Hill.—4 July 1667.

Patrick, Baron of Dunsany.<sup>1</sup>—Custodiam of lands, "retrenched" by "Adventurers," in the county of Cavan, and which formed part of petitioner's "ancient estate."—1 July 1667.

John Groome, Galway.—Licence, for forty days, by Commissioners of Inland Excise, to enable petitioner to appear before them at Dublin, to settle his accounts.—3 July 1667.

Roger Chamberlaine, late saddler to the Duke of Ormonde.—Recovery of debts from members of the Duke's Life-Guard of Horse.—Undated.

Connor O'Connor.—"That the cartron of Clonshaven containing 114 profitable acres, in the parish of Kilkeevan, barony of Ballintober and county of Roscomon, was alwayes in your petitioner's ancestors' possession, untill four acres thereof were given out to Philip Hore, of Kilsallaghan in the county of Dublin, as a transplantable person, and purchased from him by Captain Theophilus Sandford, who, under pretence of those four acres, hath claimed the whole cartron as unprofitable acres, which your petitioner is ready to prove a concealment. He therefore humbly prayeth your Grace will be pleased to give order that a custodiam may be granted unto your petitioner of the said cartron of Clonshaven, excepting the said four acres which were purchased by the said Captain Sandford. And he shall pray, etc.

"Dublin Castle, 23 May 1667.—If the lands which the petitioner desireth in custodiam be in his Majestie's disposall, and not formerly granted to any other, nor lands which did belong to any person or persons Nominees,<sup>2</sup> the Barons of his Majestie's Court of Exchequer are to cause a custodiam thereof to be issued to the petitioner to continue, dureing his Majestie's pleasure, at such rent as they shall hold reasonable.—ORMONDE."

Henry Newman.—"That your petitioner hath served in his Majestie's Guard of Battleaxes, under the command of the Honorable Sir Daniel Treswell, about five years, dureing which time your petitioner hath not been negligent in his duty, neither misbehaved himselfe at any time upon his duty, as is well knowne to his officers. That, a complaint being made to Sir Daniel of words that your suppliant should speak of Alderman Teigh, Alderman Hatfeild, Alderman Hutchinson, Alderman Peter Wybrant, and Alderman Vizard; to this your petitioner makes answer, that, having severall suites of law depending in this city<sup>3</sup> of great value, these gentlemen were his great opposers, and by their meanes and procurement your suppliant was cast into prison, seeking and endeavouring for his right, and there begged his bread for a long time, reduced to that misery to expresse [which] he is ashamed. All which your suppliant's wrongs

<sup>1</sup> Patrick Plunket, ninth Baron of Dunsany. See "History of Irish Confederation and War in Ireland, 1641-1649." Dublin: 1882.

<sup>2</sup> Persons named in the Declaration of Charles II., November, 1660, for the settlement of Ireland.

<sup>3</sup> Dublin.

and injuries he can make appear by his proceedings, and that to his loss of 500*l.* sterling, by the meanes aforesaid. See it is, may it please your Grace, that for speaking some words, as aforesaid, and for noe other cause, your petitioner is dismiss his employment, this six weeks past, and another in his place, for which he paid 20*l.*, hoping it would be a place for his future livelihood. Now, most Right Honourable, if the speaking of a few words in your petitioner's passion, and by reason of his former wrongs received, and mind perplexed, be a sufficient cause your suppliant should lose his employment the which he bought, he referreth the consideration of his sad condition to your Grace's most discrete wisdom. The premises most tenderly considered, and in this your suppliant's sad and deplorable condition, he addresseth himselfe for releife wholly unto your Grace, humbly and earnestly praying that he may not only be restored to his employment, but that also that difference in suspense, whereunto the said Aldermen did concerne themselves against your petitioner, may be referred by your Grace to such persons, to take the hearing thereof, as your Grace shall think fitt, and that the said persons forthwith make their report of the premisses unto your Grace, to the end your suppliant may be releived, etc. And your petitioner, as duty bindeth, shall pray, etc.

"Dublin Castle, 27 June 1667.—Let this petition be shewed to Sir Daniel Treswell, who is to certify us what he knoweth of the matter therein mentioned, and the reasons why the petitioner is put out of the Guard of Battlexes.—ORMONDE."

Robert Case.—Payment of ten months' arrears due to petitioner as one of Colonel Daniel Redman's troop.—6 July 1667.

John Gill.—Complaining that Captain William Draper, after having promised petitioner a Lieutenantcy in the Armagh Militia, made him a private; and requesting to be employed under some one else.—8 June 1667.

Geoffrey Browne, a "Nominee."—Possession of lands retrenched by Henry Whaley, Thomas Smith, Colonel Sadler, and Samuel Foxan.—9 July 1667.

Francis Simpson, inn-keeper, Dublin.—Recovery of amount due by Lieutenant William Supple, of Colonel John Jephson's company.—27 June 1667.

Philip Harryes.—Similar petition.—27 June 1667.

John Nixon, executor of Bartholomew Lane, Captain in Major Dennis's company at Wexford.—Recovery of arrears.—16 July 1667.

"The petition of the Carpenter, Wheeler, and Blacksmith of his Majestie's Traine."—"That your petitioners were directed by the Lieutenant of his Majestie's Ordnance to make a marching barricade, to carry six small gunns, which your petitioners did performe according to such instructions as they received from the said Lieutenant of the Ordnance, who also gave your petitioners hopes that so soone as the said ingine was finished they should receive payment for their materials and worke, which hitherto they cannot obtaine. May it therefore please your Grace to order payment according to the annexed accompt,<sup>1</sup> which hath been perused by the said Lieutenant of the Ordnance, and which your petitioners are ready to declare uppon oath to be the usuall rates of the materials and the artificers' labour. And your petitioners shall ever pray, etc.

<sup>1</sup> Not in the MS.

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"Dublin Castle, the 10th of July, 1667.—We pray Sir Robert Byron, Knight, Master of his Majestie's Ordnance, to consider of the petitioner's demands, and to certify us whether he shall finde them to be reasonable, or, if they appeare to be so, to pay the petitioners out of the two hundred pounds lately ordered to be payd unto him by way of imprest.—ORMONDE."

Dr. Anthony French.—"That your petitioner most faithfully and most constantly served as Judge-Advocate to his Majestie's troopes in Flanders, from their first leavying at Bruges untill their being reduced in Dunkirk, notwithstanding infinite toyle, trouble, and hardship that continually attended that imployment. That his Majesty was graciously pleased to provide for the most part of the reformed officers of them troopes in severall garrisons of England, your [petitioner] only excepted, being then beyond seas to take his degree in the University, by his Majestie's speciall letter of recommendations. See that he is, and still remaines, destitute of all manner of imployment and meanes of subsistence, if not relieved by your Grace. And whereas your petitioner discovered some retrenchments made by the Court of Claymes in the county of Kilkenny, specified in the annexed schedule, and at present in his Majestie's custody and disposall, your petitioner most humbly prayeth that, in consideration of the premises, and for your petitioner's present support, your Grace may be graciously pleased to grant unto the petitioner a custodiam of the said discovered lands, that your petitioner may not be a perishing person of them troopes, for whom his Majestie and your Grace alwayes declared more than ordinarie affection. And your petitioner, as in duty bound, shall ever pray for your eternal felicity, etc.

"Dublin Castle, 18 July 1667.—If the lands which the petitioner desireth in custodiam be in his Majestie's disposall, and not formerly granted to any other, nor lands which did belong to any person or persons that are Nominees by Act of Parliament, the Barons of his Majestie's Court of Exchequer are to cause a custodiam thereof to be issued to the petitioner, to continue dureing his Majestie's pleasure, at such rent as they shall hold reasonable.—ORMONDE.

County Kilkenny, barrony of Gowran.

		A.	R.	P.
Jo[h]n Cantwell.	Closkreggy - - -	388	0	0
Hen. Archer.	Out of Killmogar - -	236	0	0

Fassagh dining Barrony.

Rob[er]t Shortall.	Out of Ballifruke - -	79	0	0
Rob[er]t Shea.	Out of Drillingstowne -	119	2	26
Tho[mas] Shortall.	Out of Adamstowne -	133	0	27
Peter Rooth.	Out of Peeter Rooth's moyety of Rathelly - - -	196	0	0
Leonard Shortall.	Out of Monybroughteile, alias Monybranthteile - - -	118	1	18
Tho[mas] Shortall.	Out of Balleyne - - -	150	2	0
The same.	Out of Killeshulane - -	226	2	6

Iverk Barrony.

Foulk Denn.	Out of Ballimacle - -	82	2	1
Rob[er]t Walsh.	Out of Cloneassy - -	261	2	26
The same.	Out of Rochelstowne -	200	0	0
"	Out of the South part of Corluddy -	49	0	0
Peirce Walsh.	Out of Owny - - -	192	0	0

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John Andrewes.—“That your petitioner, being a souldier belonging to Captain Broughton's foot company in the Royall regiment under your Grace's command, about a year last past and upwards being commanded out amongst others towards Kilkenny; and that, upon his march, coming into his quarters, being falne sick suddenly and very faint and disconsolate, did desire his landlord that he would cause a chicken or pullett to be made ready for him for his refreshment, and that your petitioner would give any reasonable satisfaction for the same to be done accordingly. Whereupon, your petitioner walked forth into the back side of the said house, where he found great store of poultry of all sorts, soe that he immediatly destroyed one of them for his refreshment, as aforesaid. That, suddenly, before he could return back, there came a stranger unknowne to your petitioner, and fell violently upon him with opprobrious words, and struck at him and abused your petitioner in a high degree; soe that your petitioner, being a souldier, could not abrook the same, but was suddenly forced in his owne defence to draw his weapon to defend himselfe. Whereupon his adversary run violently upon the point of your petitioner's weapon and wounded himselfe to death; soe that your petitioner thereupon was apprehended and tryed for his life, and soe convicted before Judge Povey; who, taking into consideration the condition of the thing, and understanding that the party soe slaine was long before excommunicated and outlawed, the said Judge was gratusly pleased to give your petitioner a reprieve for his life. Ever since, a yeare past and upwards, your petitioner hath laine in prison, in the county gaole neere Maryborough, in a sad, miserable, and deplorable condition, being there like to perish unless your Grace's favor be unto him extended for enlargement. May it therefore please your Grace to take the premisses into your noble, pious, and serious consideration, and to grant him an order for his enlargement out of prison, being ready to starve, and that he may be banished out of this kingdome in such manner and forme as your Grace shall think fitt.

“Dublin Castle, 3 July, 1667.—The Judge before whom the petitioner was tryed is to certify us how the matter for which he stands convicted did appeare upon his tryall, and whether he conceive the petitioner to be an object of his Majestie's mercy.—ORMONDE.

“May it please your Grace: At Lent assizes held for the Queene's County the 28th of March, 1666, the petitioner was arraigned before me there for the murther of Edmund Mc'Rory at the Graige, in that county, and pleading not guilty, afterwards upon his tryall it appearing that he did kill the man, and that he being provoaked thereunto in some measure by some words and upon some passages then hapning betweene them, noe premeditated malice appearing, he was found guilty of manslaughter only, and afterwards praying his clergy, and the Ordinary returning that he could not read, sentence of death was pronounced against him, but your Grace's order of reprieve coming, execution was stayed. All which, in obedience unto your Grace's within order, I doe in most humble manner certify and submitt unto your Grace's grave judgement, this 3rd day of July, anno Domini, 1667.—J. POVEY.”

“Dublin Castle, 4 July, 1667.—Findeing by the foregoing certificate of Mr. Baron Povey, before whom the petitioner received his tryall, made in pursuance of our order of reference dated the third day of this month, that the petitioner was convicted of manslaughter without the appearance of any premeditated malice, and that not being able to read, sentence of death was pronounced against him, we are pleased and doe hereby order that if any merchant, or other person with good suretye, shall give bond to the Clerk of the Council, to his Majestie's use, of the

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penalty of one hundred pounds sterling, with condition that the petitioner, within six weekes after his enlargement out of the prison wherein he now remains, shall ship himselfe for the West Indies, and be transported thither, and not returne into this kingdome without the lycence of the Cheife Governor or Governors of this said kingdome for the time being, upon certificate of the said Clerk of the Councel of the giving of such bond, the Sherriff or gaoler in whose custody the petitioner doth remaine shall set him at liberty.—ORMONDE."

John Tuthill,<sup>1</sup> Giles Curwin, and others.—"May it please your Grace: In obedience to your Grace's pleasure, dated the 8th of August, 1666, in a difference between John Tuthill, Giles Curwin, Darby Byrne, John Spotten, and Richard Donnell, petitioners, and William Dodson, defendant, after divers sommons to each party, at last, both parties and defendants did appeare before me, and then the said William Dodson did declare that the money now claymed by the petitioners for their wages, for worke done at his Majestie's Parke wall, was in the hands of Mr. James Hallsey, who being then and there present did also declare that such moneys as he had from time to time received from Mr. Dodson he at the same time received order from him to disburse the same to such workemen as were in immediate labour in the said worke, and not to looke back upon any arreare of worke formerly performed. And the said Hallsey alleageth the said orders from Dodson to be the true reason why the said John Tuthill and the rest of the petitioners were not satisfied their due. But noe orders or direction did appeare in writeing on either side, nor any prooffe other than their owne verbal allegations, each against the other, which could not admit of any agreement or composition of the difference between them for the reasons aforesaid. All which is certified and submitted most humbly to your Grace by your Grace's most obedient servant,—DUNGANNON.

"Dublin Castle, 22 July, 1667.—Upon consideration of the petition of John Tuthill, John Spotten, Giles Curwin, Darby Birne, and Richard Donnell, of the answer of Mr. William Dodson thereunto, both heereunto annexed,<sup>2</sup> and of the within certifycate of our very good Lord, the Lord Viscount Dungannon, concerning the matter in the said petition and answers mentioned, we thinke fit, and doe heereby order, that the said Mr. Dodson, out of such moneys as remaine in his hands upon account, or, if noe such moneys remaine, then out of such other moneys as he shall receive towards the charges of the wall of his Majestie's parke,<sup>3</sup> neere his Majestie's house 'the Phœnix,' shall pay the petitioners' the summe of twenty pounds, nine shillings and foure pence, by the annexed certifycate of Mr. James Hallsey appeareing to be due unto them.—ORMONDE."

Robert Meller.—Recovery of money due by Henry French, of the horse-guard.—1 August 1667.

John Inglis, "servant to his Grace."—Recovery of amount due by Ensign John Stoughton for clothes.—24 August 1667.

Mrs. King, widow of Doctor Ralph King.—Custodiam of "retrenched" lands in the county of Kilkenny, in exchange for one in Westmeath.—26 August 1667.

William Tuit, Esq.—Order on petition for custodiam of lands in King's County and Westmeath, including those in the latter county surrendered by the widow of Dr. King.—26 August 1667.

<sup>1</sup> See pp. 7, 9.

<sup>2</sup> Not in the MS.

<sup>3</sup> Dublin.

Philip Collice, of Colonel Cecil's company, at Londonderry.—Discharge.—Kilkenny Castle, 21 August 1667.

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Winifred Brahan.—Reprieve, to enable her husband, under sentence of death for manslaughter, to prove an alibi.—28 August 1667.

Thomas Butler, and others.—Leave to proceed against Cornet Lewis Jones and William Potter for extortion, unjust appraisement, seizure of corn, cattle, etc.—28 August 1667.

Nicholas Commerford, "a poore prisoner."—"That your poore petitioner, two yeares and a halfe agoe, for some knavery committed (he beeing then but twelve yeares of age) was committed to gaole, tryed and convicted, but, beeing not of any discretion, his execution till now remains respited; but in his long imprisonment hath indured so much hunger, thirst, and disease, that he cannot long live if not by your Grace prevented. It may, therefore, please your Grace, since severall doe offer to take him into service, to commiserate his condition and grant him a pardon in forma pauperis, he haveing nothing wherewith to sue it out. And he will ever pray, etc."

"Kilkenny Castle, 28 August 1667.—The Judges or Judge of Assize, before whom the petitioner received his tryall, are to certify us how the matter for which hee stands convicted did appeare upon his tryal, together with the opinion of such Judges or Judge whether hee be an object of his Majestie's mercy.—ORMONDE.

"May it please your Grace: In obedience to your Grace's order of reference, I doe heereby humbly certify that at the Assizes held in March, 1665, before John Povey, Esquire, one of the Barons of his Majestie's Court of Exchequer in Ireland, I beeing then Mayor and in Commission with him, at which time the petitioner, Nicholas Commerford, was convicted of burglary, and sentence of death pronounced against him, which was respited from Assize to Assize ever since by the Judges, they seeing him of minor age. I doe humbly certify that he was prompted thereunto by others, beeing a very simple and innocent boy, and doe thinke him to be an object of his Majestie's mercy, hoping thereby that he may become a better man. All which is humbly most certified by your Grace's most humble and obedient servant —PETER GOODWIN.

"Kilkenny, the 4 of September, 1667.—If any merchant, or other person with sufficient security, shall give bond to the Clerke of the Councel, of the penalty of one hundred pounds sterling, to his Majestie's use, with condition that the petitioner, within six weekes after he shall be enlarged out of the prison wherein he doth now remaine, shall ship himself for the Bardadoes, and before hee come on shoare againe shall bee landed there, and not returne into this kingdome without lycence of the Chief Governour or Governours heereof for the time beeing in writing, to be first had and obtained, we are pleased and doe order that, upon certificate of the said Clerke of the Councell of the givinge such bond, the Sheriff or gaoler in whose custody the petitioner doth remaine shall sett him at liberty, for doeing whereof this shall be a sufficient warrant.—ORMONDE."

Michael Smith,<sup>1</sup> "Keeper of Sherwood Parke."—"That William Powell, one of the Corporals in the Right Honorable the Earle of Ossory's troop, about foure yeares since beeing in want of a horse for his use in the said troop, and having not money to furnish himselfe, your petitioner at his earnest request bought an able horse for him, which

<sup>1</sup> See p. 66.

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cost six pounds ten shillings, whereof the said Powell paid fifty shillings, so there yet remains due to the petitioner foure pounds, for payment whereof the said Powell sent a letter from Dublin to the Clerke of the said troop. But the petitioner haveing not suddenly occasion of coming to Kilkenny to looke after the said debt, the said Powell is since dead, and haveing a considerable summe of money due to him in the said troop your petitioner humbly prayes your Grace's order to Sir George St. George, who commands the said troop, to pay the said summe of foure pounds to your petitioner out of the pay due to the said Powell, there being noe other way for youre petitioner's satisfaction. And your petitioner shall pray, etc.

"Kilkenny, the 4th of September, 1667.—Sir George St. George, Lieutenant of the troop within mentioned, is to examine what was justly due to the petitioner by William Powell within named, and, for what shall appeare to be due, to stopp the same out of the pay of the said Powell, if it shall amount to so much, and pay it to the petitioner for his satisfaction.—ORMONDE."

Thomas Puller, soldier in Captain Cecil's company, Londonderry.—Discharge, on account of ill health.—4 September, 1667.

Lawrence Daly, John Dayly, and Connor Coony.—"That the petitioners have long since been, by your gracious favour and mercy unto them, received into protection. That the petitioners since that time have to the uttermost of their power been industrious to bring to condigne punishment all such fellows as were knowne to the petitioners, the benefit thereof hath been plentifully great to the severall countyes of Meath, Westmeath, and Longford. That, in regard your petitioners have so violently prosecuted the said fellows, your petitioners have been since prosecuted by the wife of one of the said fellows, who, by your petitioners' evidence and other good proofs, was condemned to dye, and, at length, by the testimony of the said woman, your petitioners were found guilty of the felonious takeing away of fifteen shillings in money, and two shillings in beere, and now lye condemned at Trym. May it therefore please your Grace, in tender commiseration of your petitioners, to grant your petitioners a reprieve till the Honorable the Judge of Assizes at Trym doe certify the true state of your petitioners' case. And they shall pray.

"Kilkenny Castle, 7 September 1667.—We are pleased that the execution of the prisoners be respited untill the second day of the next assizes for the county of Meath, whereof the Sheriff of the said county and all others whom it may any way concerne are to take notice. And, in the meane time, the Judges before whom the petitioners received their tryal, or one of them, are to certify us how the matters for which they stand convicted did appeare upon their trials respectively.—ORMONDE."

Richard Whitehand, shoemaker.—Recovery of debts from Captain Richard Smith, and others, belonging to Sir Francis Foulke's company at Clonmel.—4 September 1667.

Sir William Tichborne, Knight.—"That his Majestie was graciously pleased, by his letters patents under his great seale of England dated at Westminster the 31st day of July in the 12th yeare of his reigne [A.D. 1660], to grant unto Sir Henry Tichborne, Knight, lately deceased (father to your petitioner) the office or place and charge of Marshal of the Army in his Majestie's realme of Ireland, to have, hold, and injoy the said office during the said Sir Henry's life, and that he should have for his ordinary retinue one trumpeter and thirty horsemen lightly armed, receiveing and takeing yearly, for the exercise of the said office or place, the wages and



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fees following, viz., for himselfe 6*s.* 8*d.* per diem, 12*d.* per diem for the said trumpeter, and 12*d.* per diem for each of the said thirty horsemen, making, in all, per annum £687 8*s.* 4*d.* Which several allowances have been paid unto the petitioner's said father, from the date of his patent, by the hands of his Majestie's Vice-Treasurer of this kingdome, unto the last day of March 1667. Now, so it is, that your petitioner, beeing executor unto his said father, made applycation to the Muster Master Generall for a warrant of full pay for what intertainment was due to his said father as Marshal of the Army, according to the allowances mentioned in his patent, from the last of March last to the day of his death,<sup>1</sup> being the last day of July 1667, which the Muster-Master General refuseth to doe, without your Grace's order, by reason the allowances in the Establishment of the military list are not exprest in the same manner as is mentioned in the said patent as followeth: Sir Henry Tichborne, Knight, Marshall of Ireland, for his intertainment at 3*s.* 4*d.* per diem, a trumpeter at (*blank*) per diem, and a retinnew of thirty horsemen at 19*d.* the peece per diem, makeing per annum £489 6*s.* 7*d.* And among the temporary payments in the said military list is mentioned Sir Henry Tichborne, Knight, Marshall of Ireland, £198 1 9, both which summes of £489 6 7 and £198 1 9 doe amount on the whole to the said summe of £687 8 4, beeing the total per annum of the said summes granted by the said letters patents to be paid per diem, which said last mentioned summe of £198 1 9 the Muster-Master General saith he can draw noe warrant for, in regard the same is by the Establishment granted per annum, and the said Sir Henry dying before the expiration of the halfe. Now, for as much as the expression of the said summe in that manner in the Establishment gives the same summe to be paid to the said Sir Henry per annum as by the said letters patents is given to be payd him per diem, which makes noe alteration in the total: May it therefore please your Grace to grant your order to the Muster-Master General to prepare a warrant for the payment of what intertainment is due to the said Sir Henry unto the petitioner, from the time of the last payment unto the day of his death, according to both allowances of the Establishment, it appearing cleerely that the said £198 1 9 mentioned in the temporary payment was added to make up the other summe in the Establishment equal to the entertainment granted by his Majestie. And your petitioner shall pray, etc."

"Kilkenny Castle, the 11 of September 1667.—Uppon consideration of this petition, we are pleased and doe order that the petitioner, as executor to his late father, Sir Henry Tichborne, Knight, deceased, shall receive all such intertainments as was due to his said father as Marshall of this kingdome, from his last payment, ending in March last, to the time of his death; and we require the Muster-Master Generall, or his Deputy, to prepare a warrant for payment thereof to the petitioner accordingly, and present the same to us for our signature.—ORMONDE."

Charles Harah, of Lord Kingston's troop.—Removal of check on pay.—10 September 1667.

Robert and Pierce Shortall, "cripples."—Payment of arrears of pension by James Bryan, High Sheriff of the county of Kilkenny, to whom assignment for same had been made.—13 September 1667.

<sup>1</sup> He died at Beaulieu, his house near Drogheda, and was buried in St. Mary's Church in that town. Tichborne was a Lord Justice for Ireland in 1643. Notices of him will be found in "Contemporary History of Affairs in Ireland, 1641-52," Dublin: 1879-81; and in "History of the Irish Confederation and War in Ireland, 1641-43," Dublin: 1882.

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John Nichollson.—Permission to serve in his Grace's guard of horse, till something else should offer.—13 September 1667.

Alexander Bence.—Replication to answer of Sir Thomas Harman, Knight, touching illegal imprisonment of petitioner.—16 September 1667.

Thomas Cooke, merchant, Dublin.—Speedy hearing of case relative to vessel called the "Sacrifice of Abraham," sold to petitioner and delivered to Mr. Desmeniere at Galway.—16 September 1667.

Mary Carroll.—Discharge of her husband, Thomas Gillasby, from Colonel Cecil's company at Londonderry.—17 September 1667.

Nicholas Woogan.—Admission to Lord Brabazon's troop. — 17 September 1667.

Sir William Tichborne.<sup>1</sup>—Arrears due to petitioner's father as Captain of horse.—19 September 1667.

Rebecca Maynwaring, "widow and relict of Dudley Maynwaring," late Constable of his Majestie's Castle of Dublin.—"That your petitioner's husband had at the time of his death due unto him halfe a yeare's sallery as Constable of his Majestie's Castle of Dublin, which remaineth yet unpaid. May it therefore please your Grace to grant an order to the Muster-Master General to draw an order for her satisfaction. And she shall pray, etc.

"Kilkenny Castle, 24 September 1667.—The Muster-Master General, or his Deputy, is to prepare a warrant for paying to the petitioner such intertainment as he shall finde due to her late husband at the time of his death, in such manner as was usual, and present the same unto us for our signature.—ORMONDE."

Lawrence Esmond, Esq.—"That your suppliant stands charged, in the present applotment of a penny per acre, as a restored innocent person, as well for that part of his estate which is yet possesst by the Duke of Albemarle,<sup>2</sup> and recovered by Captain Hallsy, beeing a Protestant, as for the lands recovered by your suppliant by a long and chargeable sute at law; he beeing not restored to any part of his estate by the Court of Claimes, and therefore, as he humbly conceives, not lyable thereunto, and, if he were, he stands over-charged, according to the proportion of 38,000 acres, having in his possession but 1,000 acres. And whereas the Earle of Ossory's troop is assigned on him, for part thereof, in the county of Catherlogh; Sir Nicholas Armorer, for part, in the county of Wexford; Colonel Hammond, in the county of Wicklow; and Colonel Dillon, in the county of Tipperary: May it therefore please your Grace to order the said assignments to be recalled and your suppliant exonerated of the said charge. And he will pray, etc.

"Kilkenny Castle, the 23d of October 1667.—Upon consideration of the above petition, we are pleased and doe heereby order that John Bence and Alexander Bence, Esquires, or their Deputy or Deputyes, to whom our warrant concerning the 3d. per acre was directed, shall suspend the execution thereof as to the petitioner's estate until we shall give further order therein.—ORMONDE."

<sup>1</sup> See p. 77.

<sup>2</sup> He was appointed to the office in 1644, and was succeeded by Sir John Stephens, in 1660.

<sup>3</sup> George Monk.

Edward,<sup>1</sup> Lord Viscount Galmoy. — "That your petitioner stands charged with £50 9 2 for his proportion of the present applotment of 3*d.* per acre, as for 12,110 acres in the county of Kilkenny, whereout he enjoyes noe more than 6,090 acres, which comes to about £25, according to a penny per acre, the rest of the lands decreed unto him beeing enjoyed by his uncle and others. May it therefore please your Grace to order that the overplus of the said charge be levied off the present possessor of the said lands, whereby your petitioner may not be charged for more than he really enjoyes.—And he, etc.

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"Kilkenny Castle, 24 October 1667.—Upon consideration of this petition, we are pleased that the summe due from the petitioner, according to the number of acres by him owned to be in his possession, be accepted, and the remainder of the mony charged upon him suspended untill upon examination it shall appeare what hee ought to pay. And we require John Bence and Alexander Bence, Esquires, or their Deputy or Deputyes, to take notice heereof and to suspend so much as the petitioner alleages to be over-charged accordingly, till further order.—ORMONDE."

Henry Stotesbury, Lieutenant, of Kilkenny.—Praying that the Vice-President of Connaught may be ordered to hear case concerning collection of money by petitioner and William Brook for building a bridge in Galway; and that the order for petitioner's arrest, in connexion with that matter, may be rescinded.—24 October 1667.

Margaret Butler, widow.—"That there are some of the Earle of Ossorye's troop now assigned on your petitioner, for £23:6:11 towards the payment of £5000 to Colonel Miloe Power, and such other uses as your Grace and the Councell shall then thinke fit, by virtue of a provisoe in the Act of Settlement, page 114; and that your petitioner's jointure, beeing but 2129 acres, is charged within lesse than three pounds of the full three pence per acre, which falls very heavy upon your poore petitioner, haveing not above five hundred acres of the said joynture inhabited, the rest lying wast, beeing barren mountaine lands, not worth six pence an acre yearly. May it therefore please your Grace to mitigate the said heavy charge imposed upon your petitioner and install the payment, beeing reduced to so lowe a condition, by reason of several other incumbrances upon her and the unprofitableness of her joynture, that she is utterly disabled to pay it, and several other Innocents<sup>2</sup> not now charged with above a penny per acre, whose lands are much more advantageous than your petitioner's. And she will pray, etc.

"Kilkenny Castle, 25 October, 1667.—John Bence and Alexander Bence, Esquires, are heereby required to respit the levying of any summe upon the within petitioner's estate until it shall appeare what she ought of right to pay, and all officers and souldiers, who are assigned upon the said estate, are required upon sight heereof to withdraw off the said petitioner's estate without giving her any disturbance or molestation.—ORMONDE."

Tirlogh Byrne.—"That Mr. Ramsey and Harry Brereton employed your petitioner upon service against Tories<sup>3</sup> and theeves, either of them

<sup>1</sup> Edward Butler. See "Contemporary History of Affairs in Ireland, 1641–52." Dublin: 1879–81, vol. iii., p. 419.

<sup>2</sup> This term was applied to persons who obtained decrees of "Innocence" under the Court of Claims.

<sup>3</sup> See Ninth Report of this Commission, Part ii., 1884, pp. 129, 149.

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promising him a Corporal of horse his meanes during their commission. And, now so it is, may it please your Grace, that your petitioner provided himselfe a good horse and armes and faithfully served in the capacity aforesaid. Neverthelessse, there remaines six moneths pay due to your petitioner, the said Mr. Ramsey and Mr. Brereton haveing received money to make satisfaction to your petitioner and the rest that served with him. In tender consideration whereof, that it may please your Grace to require the said Christopher Ramsey and Harry Brereton to make your petitioner undelayed satisfaction, otherwise forthwith to appeare before your Grace and shew cause to the contrary. And your petitioner, etc.

"Kilkenny Castle, 30 October, 1667. — Christopher Ramsey and Henry Bruerton (*sic*) above named are required forthwith to shew us cause in writing why the petitioner was not paid the allowance by them promised unto him for the service in this petition mentioned.—ORMONDE."

Patrick Colclough.—Recall of assignment on foot of three pence per acre, which was to be levied off petitioner's estate.—30 October 1667.

Christopher Power, merchant, Henry Burgerys, Giles Burgerys, and Thomas Waldron, of Loughrea, in the county of Galway.—Recovery of amount due for goods by soldiers of the troop of the Earl of Drogheda.—12 November 1667.

"The Portreive, Burgesses, and inhabitants of the Corporation of Wicklow."—"That, since his Majestie's happy restauration to his kingdome, there hath been made by the inhabitants of the said Corporation many considerable improvements and severall manufactures in a good measure begun, whereby the poore of the towne and country receive a good benefit, besides the advantage which may in time accrew to the kingdome; and have likewise with all alacrity shewed their obedience to the government. But so it is, may it please your Grace, that the inhabitants of the said Corporation are very much impoverished by reason of the many debts owing to them by the souldiers of Captain Maynwaring Hammond's company, who are in garrison in his Majestie's Castle of Wicklow, the said Captaine detaining a great part of the pay of his said company ever since he came to garrison there, being about three yeares, and inlists severall into his Company who receive no pay but protection against their debts, rescuing severall goods that have been legally attached in the said Corporation, and quartering by his owne authority his souldiers without takeing notice of the magistrate or civill officer, and being friendly desired to prevent the outrages and violencees committed by several debauched persons of the Company who not onely by day but especially by night leave their guards to abuse the inhabitants of the said place; the which he refused to do, but rather encourages them therein.

"Now, in regard your petitioners have been very unwilling to make this theire addresse to your Grace, but have for a long time rather endeavoured by all friendly meanes with the said Captaine Hammond for satisfying the said debts and preventing the said disorders, and all proveing ineffectual; they therefore in all humility beseech your Grace out of your wonted clemency to take their distressed condition into your serious consideration, and that your Grace would be pleased to order the said Captaine Hammond to make his defence to the contents of this petition, the which, with other misdemeanours, are more particularly comprized in the annexed articles, which the petitioners herewith humbly offer to your Grace, and are ready to make good against him; to which end they humbly pray that summons may be granted them for the bringing in their severall witnesscs, as well those of his owne Company as

others, and that a day certaine (as to your Grace shall seem meet) may be appointed to make out the allegations of these their grievances. And they as in duty bound will pray, etc.

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Henry Boswell.	W[illia]m Hayward.	Anth[ony] Sampson.
Rich[ar]d Smith.	J. Boys.	Nich[olas] White.
Tho[mas] Pratt.	Jo. Banks.	John Mawman.
Edw[ar]d Goodwin.	W[illia]m White.	Nich[olas] Addison.
Westood Grely.	Nich[olas] Hinchelsea.	John Keyes.
John Lindly.	John Vice.	Tho[mas] Wayt.
John Holbert.	Tho[mas] Henshaw.	John Sicklemore.
Ja[mes] Owles.	Will[iam] Surr.	John King.
W[illia]m Mawman.	Trist Flower.	Ja[mes] Stanley.
Abrah[am] Gealle.	Rich[ard] Peppard.	Chri. Mawman.
John Davis.	W[illia]m Warren.	Roger Sethby.
Stephen North.	John Chapman.	Richard Lock.

"Dublin Castle, 18 November 1667.—We require Colonel Manwaring Hammond, within fourteen dayes after sight or notice hereof, to make answer in writing to this petition and the articles thereunto annexed.  
—ORMONDE.

"Articles exhibited against Captain Manwaring Hammond, now in garrison in his Majestie's Castle of Wicklow :

"1.—That the said Captain Hammond, haveing constantly received pay for his Company, with the rest of his Majestie's standing army in Ireland, doth notwithstanding detain a great part of the same from many of his said Company, and some haveing not received any pay for some yeares past, to the ruine of some of his Majestie's poore souldiers and to the great damage of the inhabitants both of the towne and country to whome they are become much indebted.

"2.—That the said Captaine doth force several of those under his command to compound for and take under-rates, commonly called halfe-pay, being lesse than his Majestie's allowance.

"3.—That the said Captain hath by his owne authority turned out some of his said Company that have refused to compound for lesse than the King's pay, and refuseth to pay them what is due to them.

"4.—That it is the constaut contrivance and practice of the said Captaine to make false musters, by bringing men to appeare to answer to other men's names.

"5.—That the said Captaine hath by his owne authority turned out some of his Company because they would not answer at the muster by a wrong name and refuseth to pay what is due to them.

"6.—That the said Captaine doth by his owne authority turne out severall out of his said Company and inlists persons who have their residence far from the said garrison, who appeare only at muster dayes.

"7.—That the said Captaine doth, to the very great dishonour of his Majestie and the great damage both of the towne and country, inlist such persons into his said Company who receive little or no pay or other compensation save protection against their debts.

"8.—That the duty of the said Captain's Company is performed by four or five files onely, and his Majestie's Castle and garrison secured every night onely with a file of men.

"9.—That the said Captain refuseth to take due course with several under his command, who come off from their guards in the night season, and commit many violences upon the inhabitants of the said Corporacion and their goods, although he hath been acquainted therewith and satisfaction desired in a friendly way.

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"10.—That the said Captain doth infringe the privileges of the said Corporation by rescuing several goods which have been legally attached there, and in quartering by his owne authority his souldiers, refusing to owne the magistrate, or any civil officer of the said Corporation in the doing thereof."

Edward, Viscount Conway, and Sir Thomas Worshipp, Knight.—Leave to proceed against Sir Moses Hill, for recovery of money due by his father, Arthur Hill, deceased.—20 November 1667.

Cornets Michael Stanley and Rowland Thomas.—Discharge from quit-rents accruing out of lands in Tipperary.—19 November 1667.

Charles Collis, Captain.—Composition for ten months arrears of pay as Lieutenant in Captain Garrett Moore's Company.—19 November 1667.

John Masters, Thomas Hinshaw, John Stockdell, Oliver Mann, John Stockes, R. Marchman, John Bishop, and Thomas Rogers, lately of Captain Manwaring Hammond's foot company quartered in Wicklow Castle.—Recovery of arrears of pay, and compensation for having been discharged without cause.—18 November 1667.

Margaret Richardson, widow of Gilbert Richardson.—Praying that the warrant for payment of arrears due to the late Samuel Atkinson, of Colonel Vere Cromwell's troop, and by him assigned to petitioner, may be satisfied.—20 November 1667.

Charles Maylie and Edward Brochey.—"That your petitioners have this team been found guilty for takeing Colonel Little's money, but as yet have not received their sentence. That your petitioners by bad company have been drawne into vices which with hearty sorrowfulness they now repent of. That there is a ship now in this harbour ready to set sayle for the West Indies. They therefore beseech your Grace's mercy that they may be transported in the said vessel for the said place, where they hope to amend their lives, and for the future to serve God, their King and country better. And they shall pray, etc."

"Dublin Castle, 25 May 1666.—The Justices before whom the petitioners were tryed are to certify us how the matter for which they stand convicted did appeare upon their tryal, with their opinion whether they conceive the petitioners to be objects of his Majestie's mercy, and to the end the petitioners may have time to sollicite the report of the said Judges therein, their execution is to be respite until the first day of the next terme; whereof all his Majestie's officers and ministers whom it may concerne are to take due notice.—ORMONDE.

"May the 30th 1666.—May it please your Grace.—The petitioners were indicted for the burglarious breaking and entring the dwelling house of Francis Little, and stealing thereout seven silver spoones, and other goods of a great value; upon their tryals they were found guilty and judgment of death was given against them. Notwithstanding, they being very young, we conceive that they are fit objects of his Majestie's mercy; which is humbly submitted to your Grace's consideration.—SANTRY.—WIL. ASTON.—THO. STOCKTON.

"Dublin Castle, 23 June, 1666.—Upon consideration of the foregoing certificate of our very good Lord, the Lord Baron of Santry, Lord Chiefe Justice, and the rest of the Justices of his Majestie's Court of Chiefe Place, made in pursuance of our within order of reference dated the 25 day of May last, we are pleased to extend his Majestie's mercy to the petitioners, Charles Maley and Edward Brochey, for the fact in the said certificate mentioned, and we require his Majestie's Attorney and Solicitor General, or either of them, to draw up a fiant in due forme

of law conteyning a grant of his Majestie's gracious pardon unto the said Charles Maley and Edward Brochey for the fact in the said certificate mentioned, inserting therein all such clauses and provisos as in grants of like nature are usual, and the same fairely ingrossed in parchment under their or either of their hands, to send unto us to be further passed as appertaineth, and for so doing this shall be a sufficient warrant.—ORMONDE."

Margaret Bambridge, widow.—Recovery of arrears due to petitioner's husband as Sergeant in Captain Richard Lowther's company.—16 November 1667.

Sir Anthony Morgan.—Recovery of amount due by Sir Authur Chichester.—14 November 1667.

John Spencer, Colonel.—In relation to bill of Exchange drawn by Commissioners of Excise on John Groome, of Galway, and passed to petitioner in discharge of his arrears of pay.—25 November 1667.

Lawrence Moore, merchant, Loughrea, co. Galway.—Recovery of amount due by members of the Earl of Drogheda's troop for goods supplied by petitioner and Sarah Hasloe.—25 November 1667.

Henry Bridgman, Major.—Compensation for ten months' arrears of pay as Quarter-Master to Lord Aungier's troop.—28 November 1667.

Lucina Homes.—"That your petitioner's husband the last summer was brought before your Grace to answer some words alleaged against him, upon which hee was by your Grace referred to the next Judges of Assize to be held for the county of Wicklow, where hee was convict[ed] and fined in one hundred pounds, and being unable to pay it hath since continued in gaole. And so it is that your petitioner's meanes is wasted by her husband's expence in prison and for want of his care at home, soe that she knoweth not how to mainteine herself and children, haveing not sufficient of her owne and liveing in a strange country, at a very great distance from her friends, so that she and her children, who are left to the benevolence of strangers, susteine sorrow and want more than widow and orphans, while she is ministring to her distressed husband who lyeth in gaole at your Grace's dispose: May it therefore please your Grace to consider the sad condition of your petitioner, and to restore her husband, which only will make up her losse and recover her children from famishing, the petitioner presuming that what her husband hath already suffered may be in your Grace's understanding sufficient punishment for his demerit, humbly praying your Grace's clemency and mercy in setting him at liberty. And your petitioner shall as in duty bound, etc.

"Dublin Castle, the 31st of January 1666[-7].—The Judge of Assize, before whom the petitioner's husband received his tryall for the matter above mentioned, is to certify us how the same did appeare upon his tryal, together with his opinion what he shall conceive fit to be done in the request of this petition, and thereupon we shall signify our further pleasure.—ORMONDE.

"May it please your Grace: The petitioner's husband being indicted at the last Assizes at Wicklow for speaking seditious words, vizt., that one Hall and King were very unwise to take such an oath, (meaneing the Oath of Supremacie,) and that they had sworne to they knew not what, for that by that oath they were bound, if the King should goe to masse to-morrow, to doe soe too. And, at the same Assizes, comeing upon his tryall hee did not much deny the words, but did insist upon it that he spoke them in another sense than the ordinary acceptation.

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But, upon the evidence of the said Hall and King, the jury found him guilty, and thereupon he was fined £100 and ordered to finde sureties for his good behaviour, and he was committed for the fine and until that security should be given, and for the same hath layen in prison ever since, being neere six moneths; and if your Grace shall thinke him an object of mercy, we humbly conceive it will be most agreeable to rules of law that your Grace be pleased to recommend him to the Commissioners of Reducement to reduce the said fine. All which, in obedience to your Grace's within written order, we doe in most humble manner certify and submit unto your Grace's great judgement, the 18 of February 1666[-7].—Jo. Bysse.—J. POVEY.

"Dublin Castle, 29 November 1667.—Upon consideration of the annexed petition of Lucina Homes, wife of William Homes, and the certifiacte of our very good Lord, the Lord Chief Baron and John Povey, Esquire, one of the Barons of his Majestie's Court of Exchequer, the Judges of Assize before whom the said William Homes was tryed, bearing date the 18th of February, 1666[-7], and made in pursuance of our order of reference given on the petition of the said Lucina the 31 of January, 1666[-7], we are pleased, as to the fine imposed on the said William Homes, to recommend him to his Majestie's Commissioners for Reducement of Fines, for such reducement as they shall conceive to bee fit, and when the said fine shall be so reduced and paid or secured as the said Commissioners shall finde cause to direct, the said William Homes is to be set at liberty, he first givinge security for the good behaviour, as by the said Judges of Assize was ordered; whereof the officers whom it may concerne are to take notice.—ORMONDE."

Timothy Michelburne.—"That your petitioner some time since tooke a lease of part of a house adjoining to Katharine Numan's in Damas street [Dublin], of which lease there is certaine time yet to come. That Ralph Billingsley, one of your Grace's servants, layeth clayme to part of the petitioner's holding, which occasioneth so great controversy that he cannot dispose of his part till cleared. That the petitioner hath often desired to refer the said difference to counsell, which he [Ralph] denyeth, or to appeare and answere your petitioner's suit in regard of his priviledge. May it, therefore, please your Grace to order the said Billingsley either to refer the same, or that the petitioner may have lycence to take his remedy against him at Common Law for recovery of his right. And he shall pray, etc."

"Dublin Castle, 29 November, 1667.—We are pleased heereby to leave the petitioner at liberty to take his legal remedy against Ralph Billingsley above named, notwithstanding any priviledge hee may pretend as being our servant.—ORMONDE."

Erasmus Smith,<sup>1</sup> Esq.—"That your petitioner, amongst other lands, hath granted unto him, by certifiacte of his Majestie's Commissioners for executing the Acts of Settlement and Explanation of the same, the towne and lands of Milltowne, lying in the barrony of Ferrard and county of Lowth. That he hath passed letters patents for the said lands accordingly, and hath discharged the said lands from all other rents except the rents reserved to his Majestie by the said letters patents. Yet, soe it is, may it please your Grace, that one Mr. Bence hath charged five pounds, foure shillings, and six pence, on the said lands, pretending the same to be due by the Act of Explanation, page 114, for the Irish agents,<sup>2</sup> which charge your petitioner is not at all lyable unto. Your

<sup>1</sup> See Ninth Report of this Commission, 1884, Part I., pp. 133, 143, 156.

<sup>2</sup> See p. 16.



petitioner therefore humbly prays your Grace to give order to the said Mr. Bence for recalling the said charge, which is by him assigned to Sir Robert Byron's company, who lye upon your petitioner's tenants to the said land, to their ruine unlesse releived by your Grace. And he shall, etc."

"Dublin Castle the 30<sup>th</sup> of November 1667.—John Bence and Alexander Bence, Esquires, are heereby required to respite the levying of the above summe of five pounds, foure shillings, and six pence, on the lands in this petition mentioned, until we shall give further order concerning the same; and the souldiers, to whome the said summe is assigned, are required upon sight hereof to withdraw from the said lands without giving any further disturbance to his tenants.—ORMONDE."

Peter Walker, "clarke to the Right Honorable the Earle of Ossory his troope."—"That, about foure moneths since, your petitioner received assignments for part of six moneths' pay for the said troop, part of which assignments proved insolvent and were returned to Sir Daniel Bellingham.<sup>1</sup> Since which severall applycations hath been made to him for the remaining part of the said six moneths' pay, being about £500; yet he deferrs the payment thereof to the great prejudice of the said troop. May it therefore please your Grace to order the said Sir Daniell Bellingham to make your petitioner speedy payment of what remains unsatisfied of the said six moneths' pay. And he, etc."

"Dublin Castle, 30 November, 1667. — Sir Daniel Bellingham, Knight and Baronet, Deputy Vice-Treasurer and Receiver General in this kingdom, is to take in the assignment above mentioned and to pay the moneys thereby assigned to the Earle of Ossory's troop, or to issue such solvent assignments as they may receive speedy satisfaction.—ORMONDE."

George Stoughton, merchant.—Recovery of amount due, on foot of a bond, by Robert Reading, of the Guards, and his wife, Dowager Countess of Mountrath.<sup>2</sup>—3 December 1667.

Arthur Chichester, Earl of Donegal.—Permission to proceed against Colonel John Gordon.—4 December 1667.

Thomas Williams and Robert Clarke.—Praying that the case between petitioners and Captain William Hamilton, referred to the Lord President or Vice-President of Connaught, may be heard near Galway.—4 December 1667.

Peirce Lloyd.—Recovery of debt from Sir William King, Captain of a foot company in Limerick.—4 December 1667.

Samuel Burdett.—"That your petitioner's wife before intermarriage did let unto one Thomas Homes a house and back-side in St. Stephen's street, Dublin, for the terme of 31 yeares, paying therefor the summe of £6 15 0 quarterly for the first three quarters, and £4 5 0 quarterly for the remainder of the said terme. That the said Mr. Homes after he had lived in the said house three quarters of a yeare or thereabouts, conveyed his goods away and left the house without giving your petitioner satisfaction. Now, soe it is, that the said Mr. Homes being a soldier in the Right Honourable the Lord of Kingston's troope, and now attending in this city for orders, your petitioner cannot have remedy against him at the Common Law, without lycence first obteyned from your Grace. The petitioner therefore humbly prayeth your

<sup>1</sup> See p. 2.

<sup>2</sup> Jane, daughter of Sir Robert Hannay, widow of Sir Charles Coote, first Earl of Mountrath, who died in 1661.

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Grace's order whereby your petitioner may have remedy against the said Thomas Homes at the Common Law, notwithstanding his military employment. And the petitioner, etc.

"Dublin Castle, 4 December, 1667.—We pray our very good Lord, the Lord Baron of Kingston, Lord President of the Province of Conaght to examine this matter, and of what he shall find due to the petitioner by Thomas Homes within named to cause satisfaction to be made by the said Homes out of the next intertainment that is or shall be due to the said Homes as one of the horse troope under his Lordship's command.—ORMONDE."

Francis, Viscount Shannon.—Recal of acquittance passed for two months' arrears due to his troop, on Jonas Walker and other Farmers of Excise for the county of Cork.—6 December 1667.

Same petitioner.—Same subject.—6 December 1667.

Thomas Allen, Thomas Barton, Edward Conry, Walter Poure.—Benefit of muster (full pay) for period during which petitioners were in attendance on their Captain, Viscount Charlemount, on his removal from Connaught to Ulster.—6 December 1667.

Donough O'Heyry.—Pardon, in forma pauperis, for homicide; with certificate.—14 December 1667.

John Partridge, of Maryborough, Queen's County.—Payment for entertainment of Lord Brabazon's troop.—16 December 1667.

Lawrence Daily,<sup>1</sup> John Daily, and Connor Coony.—"That your petitioners were received into his Majestie's protection and have done very good service to his Majestie and people, in bringing many notorious malefactors unto condigne punishment, for which they have been maligned by their countrymen, in so much as that your petitioners were at the last Assizes at Trim condemned to dye for the pretended robbing of fifteen shillings, and that upon the false testimony only of two witnesses neerely allyed to some of the persons brought by your petitioners to justice for their notorious crimes. The premisses considered, and in regard your petitioners have noe hope of liveing quietly amongst their countrymen, for the reasons aforesaid, they most humbly pray your Grace to grant unto them his Majestie's pardon, to be passed without fees, in regard of their extreme poverty. And they shall ever pray, etc.

"Dublin Castle, 16 December 1667.—Being satisfied by Sir Theophilus Jones, Knight, one of his Majestie's Privy Councill in this kingdome, that the petitioners have done such services as are mentioned in this petition, we are pleased to extend his Majestie's mercy unto them for all past offences by them joyntly or severally committed (except murder by their or any of their owne hands or procurement committed or done) and doe heereby require his Majestie's Attorney and Solicitor General, or either of them, to draw up a flant in due forme of law, conteyning a grant of such his Majestie's pardon unto the petitioners and every of them, inserting therein all such clauses and provisions as in like cases are usuall. And, being alsoe satisfied concerning the poverty of the petitioners, we are pleased that the said pardon shall passe in forma pauperis; whereof all his Majestie's officers whom it may concerne are to take notice. And we are also pleased, and doe heereby order, that when the said pardon shall be passed under the great seale, the petitioners shall be set at liberty, they first giving bond to

<sup>1</sup> See p. 46.

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the Sherriff of the county of Meath, to his Majestie's use, of the penalty of three hundred pounds, sterling, with condition that, within foure moneths after they shall be set at liberty out of the restraint under which they now are, they shall ship themselves aboard some vessel bound for the Barbadoes, or some other part of America, Flanders, or France, and be landed there and not returne into this kingdome without the lycence of the Chief Governor or Governors here in writeing be first obtained.—ORMONDE."

Thomas Plankett, of Telltowne.—"That your petitioner was received into his Majestie's protection by your Grace's order of the 9th of March, 1666.—That since he has apprehended several notorious robbers and theeves which were sent to the gaoles of Tyrone and Meath by which meanes the county hath been much quieted. That your petitioner, haveing wife and children, is very desireous to live peaceably, and ready and willing to give security for so doeing. The premisses considered, your petitioner most humbly begs your Grace's vouchsafing him his Majestie's pardon. And he, etc.

"Dublin Castle, 16 December, 1667.—Being satisfied by Sir Theophilus Jones, Knight, one of his Majestie's Privy Councill in this kingdome (who, by virtue of our orders given unto him, did imploy the petitioner doeing service against robbers and theeves), that the petitioner hath done such services as thereby hee hath meritted his Majestie's gracious pardon for all offences by him committed before the date heereof (except murder by his owne hands or procurement committed or done): We heereby require his Majestie's Attorney and Solicitor General or either of them to draw up a fiant in due forme of law, conteyning a grant of his Majestie's pardon unto the petitioner, and therein to insert a clause or proviso that, before the said pardon shall passe the great seale, the petitioner shall give sufficient security heereafter to be of the good behaviour and all such other provisos and clauses as in like cases are usuall, and the same fairly ingrossed in parchment under your hand to send unto us, to be further passed as appertaineth, for which this shall be your sufficient warrant.—ORMONDE."

William Hamilton, Esquire.—"That your petitioner is concerned for himself and several others in several lots of the officers who served his Majestie in Ireland before the 5 day of June, 1649, some of which lots are fallen in Kingsale,<sup>1</sup> some in Corke, and others in the countyes of Longford, Leitrim, and Tyrone. That your petitioner hath not had time to settle either his owne or the concernes of those other persons who have intrusted him in any of those lots, so as his owne and their whole interest is still unsettled. That your petitioner is informed that he is appointed to be Sherrife of the county of Longford for the insuing yeare, being at least threescore miles from his dwelling. The premisses considered, and forasmuch as your petitioner's affaires are as yet in a distracted and unsettled condition, and that to divert him from the settling of them by that employment (at so great a distance from the place of his aboad) will prove to the very great prejudice not onely of himselfe, but also of those other persons for whom he is concerned: May it therefore please your Grace to appoint some other fit person to be Sherrife of the said county for this yeare, and your petitioner hopeth that by that time he may have so settled his affaires as that he will be ready to serve his Majestie in that or any other employment. And your petitioner shall pray, etc."

<sup>1</sup> Kinsale, in the county of Cork.

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"Dublin Castle, 18 Dec., 1667.—Mr. Justice Booth, who went Judge of Assize the last circuit for the county of Longford, is to inform himselfe and certify us what other person than the petitioner he shall conceive fit to serve Sherrife of that county for the yeare insuing.—ORMONDE."

Thomas Browne.—Recovery of amount due on bond by Robert Reading, of the Guards.—18 December.

Christopher Power and others.—Report and order on petition for recovery of amount due by soldiers of the troop of the Earl of Drogheda.—20 December 1667.

Colonel George Walters.—"That he having a most just cause of complaint against Colonel Robert Manley, Governor of the Fort of Bantry, for the usurping of the petitioner's estate, he petitioned your Grace for reliefe therein, or lycence to arrest his person for that he had not lands or goods to be executed. Your petitioner also further sheweth that he had articles of high crimes, misdemeanors, and breach of trust, against the said Manley, put into his hands by some of the inhabitants of the barony of Bantry, which, after several commands and importunities, he likewise exhibited to your Grace in behalfe of the King and the said inhabitants. All which your Grace was pleased to refer in September, 1666, to the Lord President of Munster, who accordingly appointed and required all persons to appeare, etc. And, in obedience thereunto, your petitioner, with more than twenty witnesses, on the King's and his owne part, by two journeys of almost 240 mile, and the expence of fifty pounds sterling, attended his Lordship, who only heard and received some proofes and depositions on behalfe of the King against the said Colonel Manley (which, by what reason he knowes not, after 15 moneths' time are now remitted back to your Grace), but as to your petitioner's particular complaint, his Lordship would not heare it at all, but referred him to the law, provided he did not molest his person. And, in the interim, the said Manley was gone for England, and, as he himselfe hath given out and is morally supposed, will not returne. Wherefore, your petitioner humbly prayeth your Grace to declare your judgment on the said articles so proved for publique satisfaction, whereby it is supposed he will be left incapable of any protection by his employment, or to give him liberty to arrest the said Manley's person in England or elsewhere, notwithstanding any military capacity, or that he may impeach him to the King or the Parliament of England, where he is resolved to pursue him with your Grace's permission, his cause being very great in quality and quantity, he beeing able to prove to be dampnified by him many thousand pounds, and that his entry and continuance upon your petitioner's estate was above and beyond law, and he humbly conceives not to be determined or relieved by the ordinary courts of law but by the supreme power. And he will ever pray, etc."

"Dublin Castle, 20 December, 1667.—As to that part of this petition by which lycence is desired to sue Colonel Robert Manley, we hereby leave the petitioner at liberty to take his remedy against the said Robert Manley, by such legal wayes as he shall think fit notwithstanding any legal capacity which he hath in this kingdome."

Officers and soldiers of Lieutenant-Colonel Moses Hill's troop, lately under the command of the Duke of Albemarle.—Payment of arrears consequent on insolvency of assignments on Lieutenant Jo: Parke, farmer of Excise, co. Down.—20 December 1667.

Colonel Manwaring Hamond, garrisoned at Wicklow.—Answer to petition<sup>1</sup> of the Portreeve of Wicklow, for recovery of amount due for goods.—11 December 1667.

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Portreeve, etc. of Wicklow.—Replication to preceding answer of Colonel Hammond.—21 December 1667.

John Suilemore, Portreeve of Wicklow, etc.—Leave to prosecute Colonel Hamond and Serjeant Nicholas Vicars for having assaulted Tristram Flowers, a burges of Wicklow.—26 December 1667.

Thomas, Lord Viscount Dillon.<sup>2</sup>—"That his Majestie was gratically pleased, as a mark of his favour and bounty to your petitioner, to declare that he would release and remit unto him and his heires all such part of his quit-rents as hath been imposed by the late Acts of Settlement of Ireland, or either of them, on his estate, which shall appeare to exceed the proportions of the rents and services wherewith his said estate was charged at or before the yeare 1641, and upon certificate from the Auditor-General of Ireland what rents and services were paid by your petitioner for his said estate, at or before the yeare 1641, and what new rents were since added thereunto by vertue of the late Acts of Settlement, his Majestie in Council did order that either in England or Ireland (where your petitioner shall thinke fit to passe the same) a grant be prepared for release of the said new rents. Whereof your Grace and others are to take notice that such orders and warrants as are necessary for that may be prepared, as by his Majestie's said order hereunto annexed<sup>3</sup> may more at large appeare. Your petitioner therefore most humbly prayeth your Grace to give order unto the Auditor-General to give unto your petitioner a certificate of the old rents due out of your petitioner's estate at or before 1641, and what rents have been since added, in order to the passing of his patent pursuant to his Majestie's gracious instructions. And he will ever pray, etc.

"Dublin Castle, 2 January, 1667[8].—His Majestie's Auditor-General, or his Deputy, is hereby required forthwith to give unto the petitioner such a certificate as by this petition is desired, the petitioner paying such fees as are justly due for the same.—ORMONDE."

Judith Meyler, widow, executrix of Nicholas Meyler,<sup>4</sup> "late Chaplain to his Grace."—Recovery of amount due, under bond, by Richard Fox, of Lord Roscommon's troop.—4 January 1667-8.

Samuel Rock, William Morgan, Anne Amor, James Morris, and Arthur Pickel.—Recovery, from Deputy Receiver-General, of amount of severall warrants issued.—7 January 1667-8.

Arthur, Viscount Ranelagh.—Leave to take proceedings against Sir Oliver St. George.—7 January 1667-8.

Farmers of Excise.—Recovery of license duty from soldiers and inhabitants of Dublin.—18 December 1667.

Sir Jerome Alexander,<sup>5</sup> Knight.—"That John Willson, a souldier in your Grace's foote-guarde, hath unjustly entred upon certaine lands of your petitioner's in the county of Westmeath. That he hath endeavoured to corrupt your petitioner's tenants of the said lands to deliver him up the possession thereof, contrary to law. That he hath scandalised your petitioner and his title to the said lands. Therefore, he humbly prayer your Grace's lycence that he may proceed against him at law for his remedy. And he shall pray, etc.

<sup>1</sup> See p. 40.

<sup>2</sup> Not in the MS.

<sup>3</sup> See Ninth Report of this Commission, Part ii., 1884, pp. 135, 134.

<sup>4</sup> Chancellor of diocese of Ossory, 1626-1665.

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"Dublin Castle, 15 January, 1667[8].—We are pleased hereby to leave the petitioner at liberty to take his remedy by due course of law against John Willson above named, notwithstanding his military capacity.—ORMONDE."

Thomas Gray, and Anne, his wife.—Recovery of amount due to petitioners, as administrators to Robert Nicholson, deceased, by Captain Gilbert Rawson, Quarter-Master of the guards.—15 January 1667-8.

Nicholas Copley.—Recovery of debt from Sir Robert Walsh, of the guards.—15 January 1667-8.

William Read, Samuel Moore, Thomas Crowley, Gabriel Willson, and Thomas Flewellin, soldiers of the garrison at Waterford.—For passes to that garrison, petitioners having served at sea.—22 January 1667-8.

Michael Lissenton.—Praying to be sent to serve with his former company at Athlone, having returned from sea.—22 January 1667-8.

Gyles Goodwin, goldsmith, Dublin.—Recovery from Captain Maurice Berkeley of fine for lease of premises in Castle-street, Dublin, and costs in connexion with ejection.—22 January 1667-8.

Gerrard Archbold.—Recovery of amount due by Patrick Tuedy, of Sir Oliver St. George's troop, for hay, supplied while petitioner was innkeeper at Dublin.—22 January 1667-8.

Sarah Roberts, widow, Dublin.—Praying that Ensign Stoughton, Captain of the guard, may be tried by court-martial for having liberated Edward Butler, charged with the murder of her husband.—25 January 1667-8.

Daniel Hutchinson, Alderman.—Recovery of purchase-money of lands near Kilmainham, in the county of Dublin, from Sir John Temple, Solicitor-General.—25 January 1667-8.

James Ware,<sup>1</sup> Esquire, Auditor-General.—"That on Saturday night last your petitioner's daughter and only child was by the subtilty or force of some persons stole and carryed away your petitioner knowes not whither. Whereupon your petitioner inquired into all parts where he did suppose she might be carryed, but could not finde her. He therefore most humbly begs your Grace to grant unto him six horsemen of the commanded men attending here for orders, who may be assistant unto him in his further search after his said daughter, and the rather for that he beleeves she is under a force. And he shall pray, etc.

"Dublin Castle, the 28th of January 1667[-8].—The officer commanding the horse-guard is to send an officer with six of the men attending here for orders with the petitioner, or whom he shall appoint, to inquire for the petitioner's daughter, and, finding her under any force, to bring her back to her father.—ORMONDE."<sup>2</sup>

William Salter, a disbanded soldier of Sir William Neal's troop.—Arrears.—28 January 1667-8.

Theobald [Taaffe], Earl of Carlingford.—"That his Majestie was graciously pleased, as a marke of his favor and bounty to your petitioner, to declare that he would release and remit unto him and his heires all such part of his quit-rents as shall be imposed by the late Acts of Settlement on his estate, which shall appeare to exceed the rents and services thereon

<sup>1</sup> Sir James Ware, the Irish historiographer, died in December, 1666, and was succeeded in the office of Auditor-General by his son, James Ware, above-mentioned.

<sup>2</sup> See p. 75.

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charged at or before the yeare 1641, and what new rents were since added thereunto by the said Acts his Majestie in Councel did order that a grant be prepared for release of the same. Your petitioner therefore humbly prayeth your Grace's order to the Auditor-General to give your petitioner a certfycate of the old rents due out of his estate at or before 1641, and what rents have been since added in order to the passeing of his patent pursuant to his Majestie's gracious intentions. And he, etc."

"Dublin Castle, 27 January 1667[-8].—His Majestie's Auditor-General, or his Deputy, is hereby required forthwith to give unto the petitioner such a certfycate as by this petition is desired, the petitioners paying such fees as are justly due for the same.—ORMONDE."

Thomas Gippes.—Recovery of amount due by William, Lord Brabazon.—20 January 1667-8.

Edward Bathorne, of the Earl of Ossory's troop.—Leave of absence, his brother, Harvey Bathorne, to take his place.—27 January 1667-8.

John Keating.—Recovery of debt from Robert FitzGerald, Lieutenant to Lord Shannon's troop.—31 January 1667-8.

Joseph Ruthorne against John Rogers, of the guard.—Order on petition for leave to sue Rogers.—29 January 1667-8.

Ann Cooper, "a poore prisoner in Newgate."—"That your petitioner was tryed Michaelmas terme, 1666, for a fact of felony, and being found guilty received sentence of death, yet your Grace was pleased to grant your petitioner a pardon, which lyeth in Sir William Domvile's<sup>1</sup> office for a fiant to be drawne. Now, so it is, may it please your Grace, that your petitioner is a stranger in the country and hath noe relations nor freinds to procure mony for passeing the said pardon, so that she may perish unless by your Grace pyttied. May it therefore please your Grace to grant your order that the petitioner may passe the said pardon in forma pauperis. And your petitioner will pray."

"Memorandum: Made oath before me, that she is not worth five pound in worldly substance this present day. Jurat. coram me, 25<sup>o</sup> die Januarii 1667[-8].—DUD[LEX] LOFTUS.

"Dublin Castle, 29 January 1667[-8].—Uppon consideration of this petition and affidavit, we are pleased that the petitioner's pardon shall passe in forma pauperis, whereof all his Majestie's officers whome the same may concerne are to take notice.—ORMONDE."

Robert Rayner, farmer, of Ballyscorney, co. Dublin.—Recovery of costs, incurred in Common Pleas and Exchequer in connection with claim for horse, from "one Mr. John Evans, one of the consort of musick attending his Grace."—29 January 1667-8.

Thomas Walding.—Recovery of debt from Edward Bolton, of Colonel Cary Dillon's troop.—1 February 1667-8.

John Ley.—Recovery of amount due by soldiers.—3 February 1667-8.

Norris Cave, Lieutenant to Captain John Morton's company.—Recovery of amount due to petitioner and Ensign Harraway by Sir James Middleton, late Captain of that company.—6 February 1667-8.

John Preston, Alderman, Dublin.—Recovery of debt from Sir Oliver St. George.—6 February 1667-8.

William Fallon, prisoner in Newgate, Dublin.—Commutation of sentence of death, or pardon.—7 February 1667-8.

<sup>1</sup> Attorney-General, Ireland.

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John Morgan, of Killcolgan.—“That your petitioner together with Captain John Bramston, Governor of Athlone, and Captain James Hamilton, was appointed by Commission to value and returne the lands in the countyes of Gallway, Roscommon, and Sligo as they were set in the yeare 1659. That your Grace and the Lords of the Councell gave them the allowance, for their charges and paines therein, of two hundred and forty pounds sterling, the one moyety whereof was paid before the entring upon the execution of the said Commission, and the other moyetie was to be satisfyed upon returne of the said Commission and duly perfecting and executing thereof. That returne of the said Commission was duly made, as by the Commission was required. Yet, so it is, may it please your Grace, that Mr. Henry Brereton, who was appointed to receive the monys appointed for defraying the allowances granted for that service, haveing received orders to satisfy the said Captain Bramston, Captain Hamilton, and your petitioner the remaining £120, after perclosing their worke, detaineth in his hands the summe of four score pounds sterling, that is to say, £40 due to the said Captain Hamilton, and forty pounds due to your petitioner, upon pretence of some challenge that Captain Robert Morgan made to the same as a Commissioner, and refuseth to pay the same to your petitioner, notwithstanding the said Robert Morgan by writing under his hand hath desired the said Mr. Brereton to pay the same to your petitioner, and the said Captain Hamilton haveing likewise assigned your petitioner to receive the same, the said Mr. Brereton, designing, as your petitioner hath cause to beleve, to convert the said moneys wholly to his owne use: May it therefore please your Grace by your orders to command the said Mr. Brereton forthwith to make payment of the said summe of foure score pounds to your petitioner. And he, etc.

“Dublin Castle, 7 February, 1667[–8].—The within named Henry Brereton is hereby required forthwith to make answer in writeing to this petition, and to shew cause (if any he can) why he should not satisfy the moneys thereby desired.—ORMONDE.”

Richard Power.—“That Sir Robert Walsh, Knight, is indebted to your petitioner in £320 by bond, but by reason of his military capacity utterly refuseth to give your petitioner satisfaction, to his grent damage. May it therefore please your Grace to lycence your petitioner to take his legal remedy against the said Sir Robert Walsh. And your petitioner, etc.”

“Dublin Castle, the 8 of February, 1667[–8].—If Sir Róbert Walsh shall not give the petitioner satisfaction concerning his demand above mentioned within one moneth after sight or notice hereof, the petitioner is left to take his legal remedy against the said Sir Robert Walsh, notwithstanding any priviledge he may pretend unto as one of the army.—ORMONDE.”

Robert Bowyer.—“That the petitioner (after his great charges by reason of several petitions, orders, references, reports, and certificates) obtained your Grace's order for £34 to be satisfyed unto him for his interest in some of the lands taken into his Majestie's Parke,<sup>1</sup> which was valued at £2 5 10 per annum. Now, may it please your Grace likewise to grant your petitioner an order for the rent of his part of the land, according to the valuation for five years past, as also an order to his Majestie's Attorney-General to take a conveyance of your petitioner's interest to his Majestie, which otherwise he will not. And your suppliant, etc.”

<sup>1</sup> Dublin.



"Dublin Castle, 7 February, 1667[-8].—His Majestie's Attorney or Solicitor General is to prepare such an instrument as shall be fit for the petitioner to seale for the passinge his interest of the lands above mentioned unto his Majestie, and to see that the same be duly perfected and inrolled in the Rolls of his Majestie's High Court of Chancery, and upon his certifiycate thereof we shall give our further order.—ORMONDE."

William Dodson.—"That your petitioner being employed in the severall workes in and about his Majestie's Deare Parke at the Phoenix, according to your Grace's appointment, and having paid for the said severall workes upwards of £1000 more than is by him received but cannot be adjusted until his account is fully drawne up; and that on the 2nd of August last your Grace and Councel were pleased to refer the account to the Lord Chief Baron of his Majestie's Court of Exchequer, the Master of the Rolls, Mr. Secretary, or any two of them, to consider thereof, and thereupon sent for the Auditor and gave him directions to draw up the said whole account that they might further consider thereof. But the Auditor refuseth to take any further Account than for what money hath been already received, for that your Grace and Councel hath been pleased, by your general order, dated the 9 day of January last, to that purpose so to direct, and that your petitioner's account cannot be fully taken until your Grace's further order for the doing thereof, by which he suffers very great damage therein. He therefore humbly prays your Grace would be pleased to order the said Auditor to take his whole account, by which your Grace may know what remaines justly due to him; and that your Grace would be pleased to grant your warrant for the aforesaid summe or such part thereof as your Grace thinketh meet to supply his great present want. And your petitioner, etc."

"Dublin Castle, 11 February, 1667[-8].—We are pleased that our very good Lord, the Lord Viscount Dungannon, be added unto and joynd with the other persons within mentioned, to whose consideration the petitioner's account was referred, and that they proceed according to such former order as hath been given concerning the same, and make report of what shall appeare unto them with all convenient speed.—ORMONDE."

Richard Brooking.—Recovery of debt from Arthur Rowland, of Lord Grandison's troop.—11 February 1667-8.

Joshua Rowlandson.—Recovery of debt from Cornet William Fortescue, of the troop of the Earl of Drogheda.—11 February 1667-8.

William Knight.—Recovery of amount due by Sir Theophilus Jones, Colonel Carey Dillon, Colonel Francis Willoughby, Sir Toby Pontz [Poyntz], Colonel Humphry Barrow, and Sir Hans Hamilton.—12 February, 1667-8.

Lord Netterville's<sup>1</sup> brothers and sisters.—Exemption from the three pence per acre assessment.—11 February, 1667-8.

William Lysle.—Recovery of debt from John Dancer, of the Life Guard.—13 February 1667-8.

Henry, Christopher, Richard, and Luke Betagh, etc.—"That, by virtue of your Grace's warrant and a clause in the Explanatory Act, page 114, an assignment is issued for a penny, part of three pence per acre on the lands of your petitioners in the county of Meath. That your petitioners

<sup>1</sup> Nicholas, third Viscount Netterville.

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had a decree in the late Court of Claims only for portions out of the worse part of the estate of Patrick Betagh late of Moynalty in the said county of Meath, which is but coarse mountainous ground hardly worth three pence per acre, and yields them but a very inconsiderable rent, upon which they are not able to subsist. That the most and best of the said lands are decreed to your petitioners only in remainder after the death of their father; so that unless they are releved by your Grace, your petitioners will be utterly ruined. Your petitioners humbly pray your Grace's order to Mr. Bence, Receiver of the said moneys, requiring him to forbear assessing any summe upon the said lands untill the truth of your petitioners allegations may be examined by whom your Grace shall think fitt. And your petitioners, etc.

"Dublin Castle, 14 February, 1667[-8].—Mr. Alexander Bence, within named, and all others whom it may concerne, are to take care that noe more of the moneys within mentioned be leavyed or assessed upon the lands within mentioned than by the Act of Parliament for the raying the moneys of that kinde is warranted.—ORMONDE."

Lawrence Moore, merchant, Loughrea, co. Galway.—Report and order respecting amount due for goods supplied to the troop of the Earl of Drogheda by petitioner and Sarah Haslow.—18 February, 1667-8,

Mary FitzGerald.—Release from detention on board ship.—19 February 1667-8.

William Egleston.—Praying for dismissal from Colonel Heyward St. Leger's company at Kinsale.—19 February 1667-8.

Richard Carney.—"That your petitioner hath made and erected one dyal over the Castle stables and another brasse dyal for the Castle, the charge whereof doth amount to five pounds sterling. Your petitioner humbly prayes your Grace to order some way for his satisfaction. And he, etc.

"Dublin Castle, 28 January, 1667[-8].—Thomas Page, Esquire, one of our Secretaries, is to pay the petitioner the above mentioned summe of five pounds, and place the same to our account.—ORMONDE."

Edward Iwells.—Recovery of amount due by Cornet John Buckworth.—19 February 1667-8.

Thomas Purcell, "of the Earle of Ossory's troop of horse."—"That your petitioner hath been in his Majestie's service abroad, under the command of Colonel Grace,<sup>1</sup> and since his Majestie's happy Restoration and your Grace's arrival in this country hath served in the Earle of Ossory's troop, and your petitioner being imployed in the country and cannot without his great disadvantage attend his place in the army, prayes your Grace's order to be discharged out of the said troop and to receive his arrears in course with the rest of the said troop. And your petitioner, etc."

"Dublin Castle, 29 January, 1667 [-8].—We are pleased that the petitioner be discharged out of the troop within mentioned, and that he shall receive such pay as is due unto him, with the rest of that troop; whereof all officers whom it may concerne are to take notice.—ORMONDE."

Peter Warde, brewer.—Recovery of amount due by Captain Edward Hoyle, of Lord Annesley's troop, Captain John Harrington, of the "Battle-axes," etc.—21 February 1667-8.

<sup>1</sup> For notices of Colonel Richard Grace, see "Contemporary History of Affairs in Ireland," Dublin: 1879-81. vol. iii., p. 420.

William Barry.—Recovery of amount due for "strong beere" by William Gay, of the Battle-Axe guard.—25 February 1667-8.

John Mandeville.—Praying for protection for three months, to enable him to bring in and prosecute more malefactors; and complaining that his house had been broken into, and documents destroyed.—26 February 1667-8.

Ann Langrish.—Recovery of debts from Captain Harrington, of the Battle-Axes, and others.—25 February 1667-8.

Henry Verschoyle.—Recovery of debt from Robert Douglas, of Sir Charles Hamilton's troop.—14 February 1667-8.

William Carroll.—"That your petitioner hath been at several times and at several Assizes in the King and Queene's Counties, as also in the county of Tipperrary, prosecuting of several persons by him bound over for releiving and harbouring of proclaimed Toryes and theeves. That your petitioner being at the last Assizes, held at Phillipstowne, ready to prosecute some malefactors there, one of them, haveing noe other defence for his life, swore that your petitioner committed robbery in the county of Tipperrary. Upon which your petitioner was sent to Tipperrary, and there tryed and found guilty, and had suffered for the same but that his Majestie had indempnified him of all former crimes, murther excepted. But your petitioner is bound to appeare at the next Assizes for the county of Tipperrary, where it is requisite he should have your Grace's pardon to produce. And forasmuch as he hath many other persons to prosecute this next Assizes in the King's and Queene's counties, and will not have sufficient time to come back for the said pardon: May it therefore please your Grace to order that your petitioner's pardon may be dispatched, the annexed certifiycate setting forth what service your petitioner hath done, being employed therein by Sir Theophilus Jones, etc."

"Dublin Castle, 19 March 1667[-8].—Having thought fit, upon the certifiycate of Sir Theophilus Jones, Knight, the 5th of March, 1666 [-7], to give the order, the copy whereof is hereunto annexed, for his Majestie's pardon to be passed to the petitioner in manner as is thereby expressed, we are now pleased that the execution of the judgement given against the petitioner at the Assizes held for the regalities and liberty of Tipperary for the fact for which the petitioner hath been there convicted, be respited for the space of one moneth from this day, whereof all persons whome it may concerne are to take notice; and in the meane time the Judges before whom the petitioner was there tryed are to certify us how the matter against him did appear upon his tryal, with their opinion whether they conceive him to be an object of mercy.—ORMONDE."

William Bartlett and John Head, Sergeants in the company of the Duke of Albemarle.—Restoration to their former position, notwithstanding proceedings taken against them for assault, etc., by Mr. Dodson.—12 March 1667-8.

Captain Richard Smith, Captain Randolph Taylor, Ensign Robert Meredith, and Ensign Garret Foulke.—"That the officers and souldiers of the foote companies, to which your petitioners belong, commanded by Sir Francis Foulke and Captaine John Boteler and guarrisoned in the towne of Clonmel, have, till of late, been furnished by the inhabitants of the said towne with convenient lodgings and quarters; some of the inhabitants finding lodgings, and others, in the suburbs and elsewhere, giveing certaine allowances by their owne agreements and consents to several of the officers and souldiers to provide and pay for their owne

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quarters and accommodation where they thought most convenient. But now, may it please your Grace, Richard Hammerton, Edward Batte, Anthony Lawrence, George Collett, and William Vaughan, able inhabitants of the said towne, refuse to quarter or pay the allowances for quartering by them contracted for, as formerly, but by their examples and instigation have caused the several other persons under named to doe the like and obstinately to persist therein; by which meanes many of the souldiers are altogether destitute of lodgings and quarter, being turned out of those they formerly hyred for want of payment of the allowances contracted for and forced to lye on the guard when they have done their duty, to the great inconvenience of the poore souldiers. For reliefe wherein the petitioners haveing in a faire way often applied themselves to the Mayor of the said towne without any effect or redresse, they are forced most humbly to pray that your Grace will be pleased to take the premisses into consideration, and give such order therein as your Grace in your great wisdoms shall thinke fit. And your petitioners shall pray, etc.

"Persons who refuse to quarter, etc.:—Nathaniel Care.—Walter Branock.—John Walters.—Thomas Donogh.—Thomas Dudy.—Theobald Butler.—Catt. Clavaine.—James Lonergan.—Donnogh Hickey.—Thomas Burke.—John Chasey.—Edmond Connell.—John Caffé.—Walter Duewell.—John Kennedy.—Edward Pursell.—Darby Daniell.—Richard Beats.—James Morony.—John Berman.—Thomas Poore.—William Nicholson.—Robert Kelley.—Teige Kerey.—James Rony.—Edward Hogan.—Daniel Ganey.—Teige Conor.—Edm. Magher.—Jonas Foster.—William Lane.—Thomas Butler.—Geo. Sarlock.—John Prist.—Daniel Mallaghan.—Nicho. Gadon.—Edw. Hogane.—John Waller.—Symon Connell.—Ph. Cox.—Tho. Laghy.—Morris Eustas.—Ellen Newman.—Jeffrey Raine.—John Kelley.—John Meade.—Darby Donnell.—John Shaw.

"Kilkenny Castle, the 14th of March, 1667[—8].—Richard Hammer-ton, Edward Batte, Anthony Lawrence, George Collett, and William Vaughan, named in the within petition, are forthwith to provide convenient and fitting quarters for the officers and souldiers who were appointed to quarter on them respectively, or to pay the allowances by them contracted to be paid to such officers and souldiers in lieu of quarters; and in case of refusal they are required personally to appeare before us at Dublin on the five and twentieth day of March, instant, and shew cause to the contrary, whereof the said persons are not to faile.—ORMONDE."

Henry Harraway, ensign in Captain John Moreton's company.—Re-imburement of money paid to soldiars by order of Sir James Middleton, late Captain of that company.—13 March 1667—8.

Morris Fitz Gerald:—Leave to proceed against George Jaques, of Colonel Dillon's troop, for having prevented petitioner from exercising his rights in connexion with lands held by him for one year.—10 March, 1667—8.

Henry Thewer.—"That about two years since your petitioner tooke to his apprentice for foure yeares, to instruct in the quality of a trumpeter, one David Drummond, for whose faithful service to your petitioner, according to indentures between them, Sir James Middleton became bound to your petitioner in 100*l*. That your petitioner haveing instructed the said David Drummond to be a sufficient field trumpet when he had served but about three quarters of a yeare he rann away from your petitioner into Scotland, and, as your petitioner is informed,

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is with Captain Middleton, the said Sir James his brother, who coming over hither to receive the dues of the said Sir James, did receive all except his pay, which is not yet issued out of the Treasury, and at his being at Kilkenny, promised, if your petitioner would goe with him to Dublin, to give some reasonable satisfaction to your petitioner for his damage in the said apprentice's forsakeing his service, and to take up the said bond. But, by your petitioner's duty being to attend your Grace, and the said Captain Middleton, upon his going to Dublin, presently goeing over to Scotland, your petitioner is left without any remedy upon the said bond, unlesse he may be recompenced, by your Grace's order, out of the pay of the said Sir James Middleton unissued. The premises considered, your petitioner most humbly prays your Grace to refer the cause to the Right Honourable the Lord Dungannon, (to whom the debt due to Lieutenant Norris Cane from the said Sir James Middleton was referred by your Grace,) to examine the truth of your petitioner's allegations, and thereupon to award such reasonable satisfaction to your petitioner upon the said bond, to be had out of the said Sir James his pay yet unissued, as to his Lordship shall seem just and fit. And your petitioner, etc.

"Dublin Castle, 8 January, 1667[-8].—We pray our very good Lord, the Lord Viscount Dungannon, calling before him the parties whom this matter doth concerne, or their agents, to examine the same, and hearing what can be offered on both sides to end the difference by consent (if he can), or else to certify us the true state thereof.—ORMONDE.

"6 March, 1667[-8].—"May it please your Grace: In obedience to your Grace's commands upon the within petition, I did call the several parties before me, and upon examination I doe finde that thirty pounds was to have been given to the petitioner by Sir James Middleton, and that for the teaching of a trumpeter. But, Sir James Middleton being dead, it appeares that Mr. Andrew Middleton did offer the petitioner ten pounds for to bee freed from the said petitioner's demands, who in my judgment ought to have twenty pounds for the recompense due to him for the losse of his apprentice, as in such case is usual; all which is submitted to your Grace's pleasure most humbly by your Grace's most obedient servant.—DUNGANNON.

"Kilkenny Castle, 9th March, 1667[-8].—Upon consideration of the foregoing certefcate of our very good Lord, the Lord Viscount Dungannon, Field Marshal of his Majestie's army in this kingdome, we are pleased and doe hereby order, that his Majestie's Vice-Treasurer, or his Deputy, out of any moneys now remaining in his hands of the pay due to Sir James Middleton, knight, deceased, shall satisfy to the petitioner the summe of twenty pounds sterling mentioned in the said certefcate, in satisfaction of his demands for the matter in his petition specified. And this, with the petitioner's receipt for the same, shall be to the said Vice-Treasurer, or his Deputy, a discharge for so much.—ORMONDE."

Richard Else.—Recovery of amount due by officers and soldiers.—19 March, 1667-8.

Archibald Campbell, Attorney for Captain Middleton.—Leave to sue Captain Cave, who had taken out letters of administration to Sir James Middleton and Captain Moreton, on account of portion of Middleton's pay.—14 February, 1667-8.

Colonel Maynwaring Hammond, Governor of the town and castle of Wicklow.—That the Advocate-General of the Army may be ordered

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to certify as to the substance of depositions made against petitioner by disbanded soldiers.—25 March, 1668.

Richard [Nugent], Earl of Westmeath.—“That one Henry Nugent, who had the setting and letting of the petitioner’s lands these three yeares past and more, and had the receipt of his rents for that time, is in restraint in the Marshallsie of the Foure Courts, these six weekes, for a fine of five hundred pounds imposed on him in the Court of Common Pleas. That the petitioner is like to suffer very much for want of the personal presence of the said Henry Nugent in the country for six weekes time, within which time all accompts between the petitioner and his tenants may be ascertained, which otherwise cannot be effected. He therefore most humbly beseecheth your Grace to direct the Marshall of the Foure Courts to accept sufficient baile for the rendering of his person in restraint where now he is, before the end of the next terme, and to afforde him liberty for that time. And the petitioner will pray, etc.

“Dublin Castle, 26 March, 1668.—If Henry Nugent within named be not in restraint for any other cause than is within sett forth, and shall give recognizance before Mr. Justice Booth,<sup>1</sup> one of the Justices, of the penalty of one thousand pounds sterling, conditioned that within six weekes after his enlargement he shall returne into the custody of the Marshal in whose custody he now remains, the said Marshal shall set him at liberty in the meane time.—ORMONDE.

“This order was called in againe and cancelled by his Grace, and the entry is now vacat.”—28 March, 1668.

Margaret Lloyd, widow of Sergeant John Lloyd, of Colonel Hammond’s company.—Recovery of arrears due to petitioner’s late husband.—26 March 1668.

Randal Burrowes, of Sir William Tichborne’s troop, stationed at Ardee, in the county of Louth.—Discharge, and payment of all outstanding arrears.—27 March 1668.

Richard Hamerton, Edward Batty, William Vaughan, Anthony Lawrence, and George Collett, of Clonmel.—Application for copy of complaint, upon which a former order had been obtained, respecting quarters for Captain Richard Foulke’s company garrisoned in Clonmel; and praying that the matter in dispute may be investigated in or near that town.—27 March 1668.

Alexander Aicken, of the city of Dublin, merchant.—“That your petitioner was heretofore charged with the quartering of two private souldiers, and that since the late ordering of souldiers’ quarters within this cittie, Captain Hungerford is quartered upon your petitioner, and also two souldiers, ordered for quarters upon him, as before. That Captain Hungerford hath the best roome in your petitioner’s house for his quarters, his two servants another, and the two souldiers ordered upon him as heretofore. In which your petitioner, conceiving himselfe oppressed, hath several times addressed himselfe to the Lord Mayor and Sherriffs of this cittie, from whom he gets noe releife. Now, may it please your Grace, for that your petitioner, as others of this cittie, expected rather easement than a greater burthen by the late course taken about quarters, and for that Captain Hungerford, being sufficiently sensible of your petitioner’s being injured, would willingly be removed, if the said Lord Mayor and Sherriffs would appoint him other quarters, which they refuse or otherwise delay to doe, [to] your petitioner’s great

<sup>1</sup> Sir Robert Booth, Justice of the Common Pleas, Ireland.

damage. And for that your petitioner is herein altogether remedyslesse, save only if your Grace will be pleased to order the said Mayor and Sherriffs to appoint other quarters for Captain Hungerford, your petitioner haveing two souldiers quartered upon him, as before. And he will pray, etc.

"Dublin Castle, the 28 of March 1668.—The Lord Mayor and Sheriffs of the cittie of Dublin are to informe themselves concerning the truth of the petitioner's allegations, and, finding the same to be true, to give order that Captaine Hungerford be removed from the petitioner's house and that fit and convenient quarters be appointed for him elsewhere.—ORMONDE."

Francis Nicholas.—Payment of arrears due to petitioner for service in the troop of the Earl of Donegal.—18 March 1667–8.

Sir Nicholas Armorer, Knight.—"That, about five moneths' since, your petitioner bought of the Lords Commissioners of Prizes a ship called the 'Fortune of the Sea,' with all her lading (except cordage and plancks, which were reserved for his Majestie's service), and accordingly your petitioner hath long since paid for the same, his bonds haveing been threatened to be sued. But so it is, may it please your Grace, that the said plancks are not taken out of the ship, nor the goods yet delivered to your petitioner, by which meanes he hath lost not only the voyage intended for the ship, but also the sale of the goods and great expences and charges of seamen to looke after her. So that by her long lying out of your petitioner's right possession, her cables and rigging are become all rotten. By reason whereof in the last violent storme the said ship was driven ashoare, and much broken and damaged, and the getting her off and her repaire hath and will cost your petitioner a very considerable summe of money. Wherefore your petitioner humbly prayes that your Grace will be pleased to order that the planckes aboard the said ship may be immediately taken ashore, and that he may have full possession of his said ship and goods, and that he may have a cable, some cordage, and so much planckes as will refit the ship and make her in the condition she was [when] he bought her, and that he may have some allowance for his extraordinary expences occasioned as aforesaid. And he shall ever pray.

"Dublin Castle, 26 February 1667[–8]. — We refer this matter to the Lord Commissioners for Prizes in this kingdome, who are desired to do therein what they shall conceive to be fit.—ORMONDE."

Philip Ferneley, Esq.—"That your petitioner was appointed receiver of the 23,500*l.* granted by Act of Parliament to bee by him issued to the severall uses therein expressed; that Captain Henry Brenn beeing appointed high Collector to receive the summe of 673*l.* 13*s.* 6*d.* charged on the county of Kildare as its proportion of the aforesaid moneys whereof the said Captaine Brenn hath paid the summe of 606*l.* 14*s.* 8*d.* soe there remains in his hands the summe of 66*l.* 18*s.* 10*d.* as may also appeare by the said Captaine Brenn's owne accompt which summe hee hitherto neglected to pay to your petitioner in pursuance of the said act, although hee hath been oftentimes requested thereunto but still delayes the same in regard of his priviledge as a member of the army. May it therefore please your Grace to require the said Captain Brenn to make present payment to your petitioner of the said moneys or otherwise that your Grace will be pleased to lycense your petitioner to take his legall course at law against him. And hee shall pray, etc."

"Dublin Castle, 1st Aprill 1668.—Captain Henry Brenn is to give the petitioner satisfaction concerning the matter above mentioned or else to

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shew us cause in writing (if any hee can) why the petitioner should not bee at liberty to take his remedy against him by due course of law notwithstanding his military capacity.—ORMONDE."

Robert Bowyer.—Petition, with order, 2 April 1668.—This petition and order are in similar terms to those at page 52, under date of 7 February, 1667-8.

John Boyt and Robert Dodson, Commissioners for granting beer and ale licenses in Dublin — Praying that horse soldiers may be included in the proclamation issued with regard to the sale of beer and ale by foot soldiers.—1 April 1668.

William Hawkins and Periam Poole, "in behalfe of the Adventurers for lands in Ireland."—"That the said Adventurers have obtained an order from the Parliament of England (copy whereof is heereunto annexed),<sup>1</sup> whereby they and the persons imployed by them have liberty given them to have recourse from time to time to the bookes and papers concerning the said Adventurers in his Majestie's Council in England, as also to take out copies of the records of the Court of Claymes in this kingdome, or any other Court of record in Ireland. But so it is, may it please your Grace, that Mr. Mathew Barry<sup>2</sup> hath refused to give copies of any orders or letters relateing to the proceedings of the Court of Claymes without your Grace's leave first had and obteyned, notwithstanding your petitioners are speedily to produce such copies at the bar of the House of Commons the 13th of this instant April. Wherefore, your petitioners humbly pray your Grace's speedy order to the Clerk of the Council to give your petitioners liberty to examine such entryes of orders and letters as they shall thinke fit, and to have them attested by the Clerke of the Council. And they shall pray, etc.

"A particular of the papers humbly desired, viz.:

"A copy of the late Commissioners' Adresse in July or August, 1663, giving an account of what they had done and did intend to doe as Commissioners.

"The Lord Lieutenant and Counsel's advice to the Commissioners to spend some of their remaining time to reprice Protestants.

"Copy of a letter to Secretary Bennet from the Lord Lieutenant and Counsel, dated the 25th of June 1663.

"Copy of a letter from Secretary Bennet, dated the 25th of July 1663. Counsel's order thereuppon, dated the first of August, 1663, whereon copies of the letters were sent to the Commissioners.

"An adresse from the Commissioners of Claymes to the said Lord Lieutenant and Counsel, dated the 25th of June, 1663, concerning repriceals.

"An adresse from the Commissioners to the Lord Lieutenant, dated 15th July, 1663, concerning repriceals.

"An account from the Commissioners of Claymes of their proceedings, dated the 5th of August, 1663.

"Upon consideration had of the within petition, we doe hereby thinke and order that the petitioners have copies of the severall letters and orders above mentioned, whereof the Clerke of the Council is to take notice, for which this shall be his warrant. Dated at his Majestie's Castle of Dublin, the 4th of April, 1668.—ORMONDE."

Sir Arthur Forbes.<sup>3</sup>—Payment of amount due to one Cormuck, a soldier in petitioner's troop.—3 April, 1668.

<sup>1</sup> Not in the MS.

<sup>2</sup> Clerk of the Council, Dublin.

<sup>3</sup> Created Earl of Granard in 1684.



Patrick Segrave.—Recovery of debt from Colonel Cary Dillon.—2 April 1668.

Walter Harcourt.—Payment of arrears due for service in Sir Francis Hamilton's troop.—2 April 1668.

Renne Mezandier.—“That about ten moneths since your petitioner humbly complained to your Grace that his part of the fees of honor due to him was refused to be paid him by Mr. Morley and Mr. Dives, and your Grace was pleased to order the said fees to be stopt in the hands of the King of Armes, where the money now remaines. May it therefore please your Grace to order that the petitioner may receive the fee due to him in the said time, according to the proportion of three shillings in the pound, lately appointed by your Grace to be paid to your petitioner. And he shall pray, etc.

“Dublin Castle, the 6th of Aprill 1668.—The King at Armes is to pay such fees as are now in his hands for the servants of our Bedchamber to Edmond Ludlowe,<sup>1</sup> Esquire, who is thereout to satisfy Renne Mezandier the summes due to him, according to the direction given by us the 28th of March last, and to pay the remainder to the persons to whom the same is due by former custome.—ORMONDE.”

John Craige, merchant, Londonderry.—Recovery of money due by Thomas Evelin, Lieutenant to Colonel John Gorges, Governor of Londonderry, on foot of order for wine.—7 April 1668.

Robert FitzGerald, Captain.—Payment of moiety of ten months' arrears of pay for service in Viscoun Shannon's troop, with certificate.—8 April 1668.

Robert Taylor, Captain.—Arrears as Captain of a foot company raised from men disbanded at Carrickfergus.—8 April 1668.

Edward Meredith, executor to Thomas Heydon.—Recovery of money lent to William Harman, of the life-guard of horse.—8 April 1668.

John Inglis, “servant” to the Duke of Ormonde.—Leave to sue Ensign Houghton for money laid out for clothes by his orders.—10 April 1668.

John Magrath.—Recovery from Mr. Harman of money due for goods supplied to George Coolishe, of the life-guard.—11 April 1668.

John Perciter, citizen of London.—Recovery of amount due by Lieutenant Robert FitzGerald.—14 April 1668.

Thomas Lawrence.—Payment of ten months' arrears for service in Sir Francis Hamilton's troop.—11 April 1668.

Sir James Shaen,<sup>2</sup> Knight and Baronet.—“That your petitioner is to pay to or for his Majestie a greate summe of money, for a considerable part whereof he depended upon the third part of the profits of the Registers' Office, payable by George Phillips and John Jeffreys, Esquires, Registers to the Commissioners for executeing of the Acts of Settlement and Explanation, who, in contempt of your Grace's several orders, and contrary to their frequent promises to your Grace, have neglected to accompt for or pay in the same, whereby, besides their being lyable to account and pay unto his Majestie all they have received out of the said office, their letters patents for the same being voyd in law (as your petitioner is informed by his counsel) by reason they have not performed the expresse provisoe and condition in their said letters pattents concerning their accounting and paying over of the third part of the profits of the said office, notwithstanding more than two yeares are elapsed for

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<sup>1</sup> See Ninth Report of this Commission, Part ii., 1884, p. 181.

<sup>2</sup> See p. 16.

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which they ought to account for and pay the same, and have, nevertheless, contrary to the duty and trust reposed in them, divided all or the most of the profits amongst themselves without regard had to his Majestie's third part. May it therefore please your Grace to order and require the said Registers, and every of them, without further delay to account for and pay over the said third part, according to his Majestie's gracious intentions, and that (in case they fayle therein) his Majestie may sequester the said office and the profits in such reasonable persons' hands as he shall thinke fit and that his Majestie's Attorney-General, if need be, may not only cause them effectually to be prosecuted for the same, but also for the breach of the said provisoe and condition in their letters patents, to the avoyding of the said office and recovering of the profits thereof already received and wrongfully detayned and converted to their owne uses. And your petitioner shall ever pray, etc.

"Dublin Castle, 15 April 1668.—Upon consideration had of this petition, and the several orders and directions heretofore given concerning the matter within mentioned, by us, we doe hereby strictly require the within named Registers, George Phillipps and John Jeffreys, Esquires, and their respective deputies, and every of them, forthwith to accompt for and pay his Majestie's third part of the profits of their office according to the clause in the Act of Explanation and the provisoe and condition in the letters patents granted unto them of the said offices wherein they have hitherto fayled. And in case they refuse or neglect so to doe, we pray his Majestie's Commissioners for executeing the Act, of Settlement and Explanation, and his Majestie's Attorney-General, and every of them, to cause such further effectual proceedings to be had therein for the securing of the moneyes which are or shall growe due out of the said office, and also for the recovery of the same by seizure, sequestration, suite, or by any other lawful wayes or meanes, as they shall finde necessary and just.—ORMONDE."

Keane Carroll,<sup>1</sup> "a poore Dominican Fryer."—"That your poore suppliant, upon the third day of September, 1666, was and hath been a prisoner in the custody of the Sargeant-at-Armes, where he remaineth in a most sad and deplorable manner, haveing noe way to maiuteine himselfe in that languishing condition only what charitable Christians are seldome pleased to bestow on him, through meanes whereof your suppliant will undoubtedly perish, if not by your Grace (at whose feete hee casteth himselfe prostrate for redresse) speedily releived. The premisses considered, and forasmuch as your supliant ever yet hath been a faithful and loyal subject to his sacred Majestie King Charles the Second, and to his predecessors, and never acted anything prejudicial to the Crowne of England, but still true allegiance and faith doth beare to the same, nor never guilty of that crime to deserve such tedious imprisonment: May it therefore please your Grace, of your wonted mercy to the distressed, to order that your suppliant may bee set at liberty, giving good security that he shall be forthcoming whensoever called upon. And your petitioner shall pray, etc.

"Dublin Castle, the 13th of Aprll 1668.—The petitioner with sufficient sureties giving bond of the penalty of five hundred pounds sterling to the Clerke of the Councel, to his Majestie's use, with condition that, within two moneths after he shall be set at liberty and discharged out of the restraint wherein he now is, he shall be transported out of this kingdome, and not returne into any part of this said kingdome without lycense of the Chief Governor or Governors thereof for the time being;

<sup>1</sup> See p. 74.

uppon certifycate of the said Clerke of the Councell of the givinge such bond, the Sergeant-at-Armes, in whose custody the petitioner doth remaine, is to set him at liberty, [he] paying his fees.—ORMONDE."

James Jones.—Lands of Newtown, and rents, etc. accruing from lease to Thomas Boyd.—13 April 1668.

John Green, brewer, Dublin, and Alice Malory, alias Hughes, widow.—Recovery of money due by John Harrison, Sergeant in the Battle Axe guard.—15 November 1668.

John Prinne, brewer.—Recovery of debt from Lieutenant-Colonel Lisson, Adjutant-General.—April 1668.

William Dutton, Captain.—Compensation for services, and reimbursement of money expended for the use of militia raised by petitioner in the county of Donegal.—24 April 1668.

Christopher Blackburne.—Recovery of money due for sheep sold to Leonard Ladyman, butcher to the Earl of Arran's company.—21 April 1668.

Thomas Tyther, draper, London.—Recovery of amount due by Captain Robert Taylor, Governor of Duncannon Fort.—23 April 1668.

John Craige, merchant, Londonderry.—Leave to proceed against Lieutenant Thomas Evelyn, of Londonderry, for recovery of money due.—22 April 1668.

John Bromfield.<sup>1</sup>—"That your petitioner in February last was commanded by his master, Richard Huish, merchant, who then had a vessel laden which was bulged on the sandes near Clontarfe, to goe aboard the same and not to permit any person to come into the said vessel without his master's privity, fearing the goods might miscarry, there being at the same time several persons that came downe at low water, both from the city and country, to take advantage of the shipwreck. That there were other merchants' goods then aboard the said vessel, and, in the great confusion which the storme and ill weather occasioned, there came several carmen from the citie of Dublin, and would forcibly enter the said vessel without giving your petitioner any accompt who employed them, or what their busines was. That thereupon there grew a very hot dispute between Captain Roger Moore, your petitioner, and divers others, about the boarding of the said vessel, and that in the affray one Aspine, a carman, got a disastrous stroake on the head, whereof he dyed soone after, by whose hand your petitioner knoweth not. That the said Captain Moore and your petitioner were this present terme tryed for the said fact in his Majestie's Court of Chief Place and the said Captain Moore by a verdict acquitted, and your poore petitioner found guilty of manslaughter. That there was in the affray aforesaid a person unknowne, who, since the death of the said Aspine, is fled and would not abide his tryal which if he had appeared might probably have freed your petitioner, from the sentence which he must now expect from that honourable Court, unlesse your Grace's mercy and clemency interpose. May it therefore please your Grace to grant your order of reference to the honourable the Judges of the said Court, before whom your petitioner received his said tryal, to the end they may certify your Grace how the matter appeared to them upon the tryal and whether your petitioner be a fit object of his Majestie's mercy to obtaine a pardon for the burning of the hand; and, in the meane time, that your Grace will be pleased

<sup>1</sup> See p. 64.

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to respite the judgement of the said Court, your petitioner being but a youth of seventeen yeares of age. And he, etc.

"Dublin Castle, April 24th 1668.—We pray our very good Lord, the Lord Baron of Santry,<sup>1</sup> Lord Chief Justice of his Majestie's Court of Chief Place, or the rest of the Justices of the said Court, before whom the petitioner received his tryal, to certify us how the matter of fact did appeare unto them upon his tryal, and whether they conceive him to be a fit object of his Majestie's mercy, and to the end the petitioner may have time to sollicite the certifiycate of the said Judges therein, the burning of him in the hand is to be respited, till the last day of this tearme.—ORMONDE."

Ann, widow of Abraham Vaughan.—Recovery of debts from Lieutenant Francis Hutton and Ensign Edward Courtenay.—1 May 1668.

Andrew Hewetson, condemned prisoner in Newgate, Dublin.—Pardon for having stolen boot-legs.—1 May 1668.

William Hamilton.—Leave to sue Christopher Short, of Lord Berkeley's troop, for rent and taxes of lands in the King's county.—2 May 1668.

Owen Okive.—Pardon for felony.—5 May 1668.

Edward Griffith and William Woodruffe.—Arrears for service in Colonel Redman's troop.—6 May 1668.

CALENDAR OF PETITIONS ADDRESSED TO THOMAS, EARL OF OSSORY, DEPUTY TO JAMES, DUKE OF ORMONDE, LORD LIEUTENANT OF IRELAND, 1668-69.

Edmond [Butler], Viscount Mountgarrett.—"That your petitioner's tenants being dayly disturbed by Richard Coote, who, for the more terryfying of them, hath employed one Dennis Foy, of your Excellencie's troop, to take up distresses, who hath seized on some of the tenants' cattle for rent which the said Mr. Coote had noe right or pretence unto. That inas-much as the example may prove mischeiveous for any person on the like occasion to make use of the power of any of the army under your Excellency's command to put in execution what they cannot justify by the lawes of the land, and that by such proceedings your petitioner is in danger to have a great part of that little fortune he hath in those parts left waste: May it therefore please your Excellencie to prescribe some present course [by which] the person soe offending may receive condigne punishment and afford unto your petitioner such releife herein as to your wisdoms shall be thought meet. And he shall pray, etc.

"Dublin Castle, 6 May 1668.—Sir George St. George, Knight, who under us doth command the troop within mentioned, is to examine this matter, and, if he shall finde the allegations of this petition to be true, he is to dismisse the within named Dennis Foy out of the said troop and leave the petitioner to take his legal remedy against him.—OSSORY."

John Bromfield.<sup>2</sup>—"The certifiycate of Sir William Aston, Knight, and Thomas Stockton, Esquire, two of his Majestie's Justices of his Court of Chief Place.—Sheweth: that this present Easter Terme, Roger Moore and the within petitioner, John Bromfield, were indicted before us in his Majestie's Court of Chief Place for the treasonable murder of one John Aspin, a carman, and upon their plea of not guilty the jury (who past upon their tryal) found the said Roger Moore not guilty generally, and the said John Bromfield not guilty of murder, but guilty of manslaughter, which we conceive upon consideration of the evidence was the utmost extent

<sup>2</sup> See p. 2.

<sup>2</sup> See p. 63.

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of the fact; and upon allowance of clergy, the benefit whereof he prayed, read as a clerke, and is now in obedience to your Grace's above order, respited from burning in the hand, which falling out to be the utmost punishment due to his offence, we are humbly of opinion that he, being a very young man, in nature of an apprentice or servant to a merchant, may therefore be a fit object of his Majestie's mercy in pardoning thereof. All which we humbly nevertheless submit to your Grace, this 24th of April, anno regni Regis Caroli Secundi, Angliæ, etc., vicesimo, annoque Domini, 1668.—W. ASTON, THO. STOCKTON.

"Dublin Castle, the 6th of May, 1668.—Upon consideration of the foregoing certifiacte of Sir William Aston, Knight, and Thomas Stockton, Esquire, two of the Justices of his Majestie's Court of Chief Place in this kingdome, before whom the petitioner, John Bromfield, received his tryal, we are pleased to extend his Majestie's mercy to the said John Bromfield as to the burning in the hand mentioned in the said certifiacte, and we require his Majestie's Attorney and Solicitor General, or either of them, to draw up a fiant in due forme of law contayning his Majestie's gracious pardon to the said John Bromfield for the said burning in the hand, and a pardon also for his goods forfeited by his conviction, and to insert therein all such clauses and non-obstantes as in like cases are usual, and the said fiant, fairly ingrossed in parchment under their or one of their hands, to send unto us to be further passed as appertaineth. And for soe doing this shall be a sufficient warrant.—OSSORY."

Robert Greenewell, agent of the Ironworkes<sup>1</sup> in the county of Wexford, in behalfe of John Morris and Robert Clayton, gentlemen, owners of the said workes, and of himselfe and other persons therein concerned.—"That your petitioner hath for these five or six yeares last past been employed by the said Morris and Clayton as their agent for management of the said ironworkes, which, at their entrance upon the same, were ready to fall to ruine, and by their stock and money had soe improved the same that they were in a hopeful way of settlement, not onely for reimbursing the moneys advanced by Morris and Clayton, but also for the benefit of the partners and creditors who had any expectation from the succeesse thereof, and for the great advantage of the trade and reliefe of the poore of that county. But, soe it is, that one Mr. Timothy Stampe of late hath by confederacy with several persons, his servants or dependants, entered forceably upon the said workes and lands belonging to the said Morris and Clayton, under colour of a writ out of the Court of Exchequer erroneously issued, and not onely turned out the said Morris and Clayton and their agents from the possession thereof, a considerable part whereof he as yet detaineth from them, notwithstanding the said Court hath since, for the irregularity of the said writ, reversed and annulled the same, but also the said Mr. Stampe hath seized and disposed of five or six thousand pounds' worth of the said Morris and Clayton's iron and goods which he had no pretence to by the said writ; and, that which is more strange and insupportable, hath without any reason broken open several trunks, lockes, and keyes belonging to your petitioner, Robert Greenewell, and his servant, and taken away their proper moneyes and goods to a considerable value, with necessary bookes and other papers, whereby to disable them to make up their accompts according to the trust reposed in them. That the said Stampe gives out in speeches (as your petitioners are credibly informed) that he feares not what can be done against him, presuming uppon your Exceleencie's.

<sup>1</sup> The Wexford ironworks are not among those mentioned by Boate in his treatise on Ireland published in 1652.

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favour for his protection, and the Castle of Dublin for his shelter, which your petitioners (though they are far from beleiving your Excellencie would give countenance to any such persons or actions) are apt to credit he too much relies on, seeing he stands out in contempt of orders of Chancery and lies lyable to several just actions at law, as well criminal as civil, all which he evades by reason of his present reception in the said Castle. Wherefore your petitioners humbly pray that the said Mr. Stampe may be left at large to answer the proceedings of law, and that your Excellencie will take such speedy course therein as to your wisdom shall seeme meet. And your petitioners shall pray, etc.

"Dublin Castle, 6 May, 1668.—Let this petition be shewed to Timothy Stampe, within named, who is required to shew us cause in writing (if any he can) why the request of the petitioners should not be granted.—OSSORY.

"Dublin Castle, 18 May, 1668.—Timothy Stampe, within and above named, having by his answer in writing to the within petition alledged some things for cause why the request of the petitioners should not be granted, which doe not give us any ground to hinder the petitioners from their legal remedy against him, whatsoever he may pretend: we thinke not fit that he be sheltred or any way protected in this Castle against any demands which they have against him. And therefore we doe hereby declare that if he lodge or be sheltred in any part of this Castle, any of his Majestie's officers or miuisters are at liberty to come into the said Castle and therein execute any legal process against the said Stampe without any opposition to be thereunto given; whereof all persons whom it may concerne are to take notice.—OSSORY.

"This Order was written on the backe of the petition under the above order for Mr. Stampe to shew cause."

John Morgan.—Order to Henry Brereton to lodge with the Clerk of the Council, pending proceedings, amount claimed by petitioner for salary as Commissioner of Valuation in Connaught.—7 May, 1668.

Michael Smith,<sup>1</sup> "keeper of Sherwood Park."—Assistance from William Durham, of the Duke of Ormonde's Company.—4 May, 1668.

Officers and soldiers garrisoned at Cloumel.—Order to Mayor to provide sufficient and convenient quarters for petitioners.—7 May, 1668.

Thomas Malbone and Margaret Malbone, executors of Ralph Malbone.—Recovery of debt from Alexander Platfoot, of Lord Dungannon's troop.—9 May, 1668.

David Sollom, merchant, Dublin.—Recovery of debt from Robert FitzGerald, Lieutenant of Viscount Shannon's troop.—13 May, 1668.

Izack Gray and Walter Walsh.—Recovery of amount due for quarters, from Edward Butler, clerk to troop of Lord Atherdee.—18 May, 1668.

William Flanagan.—Recovery of debt from William Anthrobus, of Athlone, inn-keeper and member of Lord Berkeley's troop.—16 May, 1668.

John Shepheard and Frances his wife.—Recovery of amount due by Sir Daniel Treswell to John Mitchell, deceased.—11 May, 1668.

<sup>1</sup> See p. 35.

John Jephson, Colonel.—Removal of cheque on his own pay, and that of two soldiers, while absent, by license of the President of Munster, in order to settle his affairs as one of the 1649 officers.—20 May 1668.

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John Black and George Squire, merchants, Londonderry.—Recovery of money lent to Lieutenant Norris Cane of Captain Moreton's company.—21 May 1668.

Edward Griffith.—Recovery from Francis Hulton, Lieutenant to Colonel Humphrey Sydenham's company, of money paid for goods supplied by Edward Rooth, of Kilkenny.—25 May 1668.

Robert Brise, Esquire.—Praying that Archibald Moore, for whose appearance at the suit of Alexander Moore petitioner had given security may be attached, notwithstanding his having enlisted.—28 May 1668.

Roger Pemberton, "administrator of the goods and chattels of Major John Leake, deceased."—"That Major John Leake in his lifetime and Thomas Tillson, Esquire, were by an order of his Grace the Lord Lieutenant and the Council, dated the 28th of April, 1664, authorised as his Majestie's agents and commissioners to demand, receive, and bring into his Majestie's Chief Remembrancer's Office of the Exchequer all forfeited bonds due to his Majestie for tunnage and poundage and the duties of Excise and new impost since the 30th of January, 1648[-9], and to prosecute the same, and all other bonds there remaining in his Majestie's said Court, for which service they were allowed 200*l.* a peece per annum, to be paid quarterly. Now may it please your Excellencie the said Major Leake and Thomas Tillson did jointly petition his Grace the Lord Lieutenant and the Council for 300*l.* as satisfaction of three quarters of a yeare's salary due the 29th of September, 1665, and obtained a warrant of concordatum to his Majestie's Vice Treasurer to pay to Thomas Tillson 150*l.*, and to the executor or administrator of the said John Leake 150*l.*, in all 300*l.*, for three quarters salary due as aforesaid, takeing the acquittance of the said Thomas Tillson and of the executor or administrator of the said John Lake for a discharge. The said Thomas Tillson, by virtue of the said warrant, received the 150*l.* allowed to the administrator of the said John Lake and the same unjustly detaineth from your petitioner, who is administrator of the goods and chattels of the said John Lake; neither hath your petitioner any remedy against the said Thomas Tillson, without your Excellencie's lycense, he being a servant depending upon his Grace the Lord Lieutenant. May it please your Excellencie to grant your petitioner lycense to implead the said Thomas Tillson. And your petitioner, etc.

"Dublin Castle, 23rd May, 1668.—Thomas Tillson within named is required within foure dayes' sight or notice hereof, to shew us cause in writing (if any he can) why the petitioner's request should not be granted.—OSSORY."

Edmond Kelly, tailor, Dublin.—Amount due by soldiers.—23 May 1668.

John Deacon, Esq.—Recovery of debt from Sir Francis Foulke.—30 May 1668.

Ensign Henry Bulkeley.—"That the petitioner, being provoked by one Stephen Radford, had the misfortune suddenly and in his owne defence to give the said Radford a wound, whereof he dyed, for which the petitioner being tryed in his Majestie's Court of Chief Place, he was found guilty of manslaughter and soe capable of the benefit of his clergy, and the penalty thereof being burning in the hand, and he, being an officer in his Majestie's regiment of guards, doth most humbly beg that

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your Excellencie will be pleased to preserve him from that ignominious brand, and to grant him his Majestie's most gracious pardon for the said fact, and all forfeitures for the same, and until he may have time to passe such pardon, to respite his burning in the hand. And he shall ever pray, etc.

"Dublin Castle, 1st June 1668.—The Judges before whom the petitioner was tryed are to certify us how the matter for which he was convicted did appeare upon his tryal, together with their opinion whether for the same they conceive him to be a fit object of his Majestie's mercy. And to the end the petitioner may have time to prosecute the reporte of the said Judges therein, the burning of him in the hand is to be respited until the eighth day of this moneth.—OSSORY."

"To his Excellencie, Thomas, Earle of Ossory, Lord Deputy of Ireland, the humble certificate of us, Sir William Aston, Knight, and Thomas Stockton, Esquire, two of the Justices of his Majestie's Court of Chief Place:—Sheweth and certifyeth that this day Ensigne Henry Buckley received his tryal before us, in his Majestie's said Court of Chief Place, for the trayterous murder of Stephen Radford and was (uppon full evidence of twelve witnesses then and there sworne and examined for proofs of the said fact) found by the jury, who past uppon the said tryal, not guilty of murder but guilty of manslaughter; which we humbly conceive was a verdict very suitable to and agreeable with the tenor of the evidence, and that therefore the said Mr. Buckley may be a fit object of his Majestie's mercy. All which is humbly submitted to your Excellencie this first day of June, anno regni Regis Caroli Secundi Angliæ, etc., 20, annoque Domini 1668, by your Excellencie's most humble servants, WILL. ASTON, THO. STOCKTON.

"Dublin Castle, the 2nd of June 1668.—Uppon consideration of the foregoing certificate of Sir William Aston, Knight, and Thomas Stockton, Esquire, two of the Justices of his Majestie's Court of Chief Place, we are pleased to extend his Majestie's mercy to the petitioner Henry Buckley. And we require his Majestie's Attorney and Solicitor-General, or either of them, to draw up a fiant in due forme of law, containyng his Majestie's gracious pardon to the said Henry Buckley for the fact in the said certificate mentioned, and all paynes, penalties, and forfeitures, whereunto the said Henry Buckley by reason of the said fact is lyable, and inserting therein all such clauses, provisions, and non obstantes as in like cases are usual, and the same, fairly ingrossed in parchment under their or either of their hands, to send unto us to be further passed as appertaineth. For doeing whereof this shall be a sufficient warrant.—OSSORY."

Nathaniel Hinson.—Re-admission as Corporal in Captain Gilbert Swinhoe's troop.—3 June 1668.

Peter Wybrants, Alderman.—Recovery of debt from John Griffith, Town Major.—1 June 1668.

Richard Colson.—Recovery, from Corporal Robert Taylor, of arrears of rent due on lauds in the county of Tyrone, or possession thereof.—2 June 1668.

John Edwards.—Leave to sue Colonel Cary Dillon for recovery of debt.—28 May 1668.

Henry Hemsworth, and Mary his wife.—Leave to proceed against Sir Arthur Chichester and Captain John Chichester for ravishing their daughter Elizabeth Rumney, and for other violences.—6 June 1669.

Roger Pemberton, administrator of Major John Lake, Commissioner for bringing forfeited bonds, etc. into the Chief Remembrancer's office.



—Replication to answer of Thomas Tillson respecting disposal of Major Lake's salary.—8 June 1668.

John Stephens, clerk.—Recovery of debt from Henry Brenn, a member of the army.—6 June 1668.

Mary Swaile, widow.—Recovery of amount due to petitioner's late husband by Major Richard Bingley, of Londonderry.—30 May 1668.

Colonel John Fitz-Patrick.—“That your petitioner being decreed to his estate by the Commissioners for executing the Declaration, the persons possessed thereof held the same, under colour of privilege of Parliament, until the said Declaration was passed into an Act, and the privilege taken away, yet during that time paid noe quit-rent, which is now charged on your petitioner, although the then proprietors ought to pay the same. That your petitioner having made surrender of his estate unto the Crowne so soone as he was quieted in the possession thereof, his Majestie, in consideration of the petitioner's services and sufferings, was graciously pleased to give your petitioner a new grant of his said former estate at the rents it yeilded before the warre. Notwithstanding all which, and that the said lands were put out of charge, the same de novo is now in charge in the Exchequer. Your petitioner's humble request is that he may have your Excellencie's order to the Barons of the Exchequer to suspend the leavying of any rents of your petitioner's lands until the next terme, by which time your petitioner will show sufficient cause to the said Barons why he ought not to be charged with the said quit-rents. And he will pray, etc.

“Dublin Castle, 4 June, 1668.—We are pleased and doe hereby order that the quit-rent within mentioned be respited until the first day of the next terme; whereof all his Majestie's officers and ministers whom it may concerne are to take notice.—OSSORY.”

Jerome Cheevers, merchant, Drogheda.—Recovery of debts from soldiers, with certificate.—8 June 1668.

John Shepheard and John Bradock, clothiers.—Recovery of amount due by Captain Charles Fielding for clothes for his company.—10 June 1668.

Robert Swan.—Recovery of debts from soldiers.—10 June 1668.

Robert Sandys, Colonel.—Payment of moiety of ten months' arrears for service as Corporal of foot, with certificate.—12 June 1668.

Dame Catherine Newcomen.—Leave to sue Sir Thomas Newcomen, Lieutenant in Sir Arthur Forbes' troop.—11 June 1668.

Theobald [Taaffe], Earl of Carlingford, and Thomas, Lord Viscount Dillon.—“That his Majesty having heretofore by his royal letters signified his pleasure for freeing your petitioners' respective estates from quit-rents and all other charges other than such as the same were lyable unto on the 22th of October, 1641, whereupon by his Grace's orders the Court of Exchequer from time to time have respited the payment of the said rents till last Easter-terme, in order to the passeing of letters patents for discharging the said rents. And whereas his Majestie in Councell by his late gracious orders hath declared his royal pleasure, as a marke of his favour and bounty to your petitioners, to remit the said quit-rents by letters patents, for passeing whereof particulars and the Auditor's certifiates are in preparation and will take some time. Wherefore they humbly pray your Excellencie to be pleased to give order to the said Court of Exchequer to continue their orders of respite of the said quit-rents and other charges till Michaelmas term next, as hitherto hath been done. And they will pray, etc.

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"Dublin Castle, the 10th of June, 1668.—We are pleased that the respite of the payment of the rents above mentioned be continued until the first day of Michaelmas terme next, whereof all his Majestie's officers and ministers whom it may concerne are to take notice.—OSSORY."

Ja. Banting, Ensign.—New warrant for arrears of pay due for service in Sir Ralph Willson's company.—13 June 1668.

Major Nicholas Bayly,<sup>1</sup> "Governor of the Islands of Arran and Boffin."  
—"That, by order of his Grace the Lord Lieutenant of this kingdome, two private soldiers out of every foote company in the army, were sent into the said Islands for the security and defence thereof, who, with the petitioner's company in guarrison there are to be commanded by the petitioner during their continuance in the said Islands. That, uppon the death or running away of any of the said commanded men, the petitioner hath, at a muster, supplied the place of such soldiers dead or run away with other able and fit men, not only for keeping up the strength of guarrisons but to prevent the trouble, charge, and inconvenience which would insue by sending other soldiers from the several companies from all the remote parts of the kingdome to supply such vacancies, but also by the consent of the several Capitaines who are content to allow of such men as shall be so intertained by the petitioner while they shall continue in the said Islands. That, at the late muster there, the petitioner being then in England, the Muster-Master, according to former practise, inlisted two men instead of those sent out of the Earl of Mountrath's company, which places were then vacant, to which the said Earle did formerly consent and is still well content therewith. Yet his Lieutenant has chequed the said two men in the rolls for the said muster, pretending he should have sent a supply for those vacancies from the company, which (if at all) is scarce practicable, especially now when the soldiers are so much in arreare of pay. For reliefe wherein, and preventing the like inconvenience and trouble in the future, the petitioner humbly prayes your Excellencie will be pleased to give order to the Muster-Master to allow the said two men soe entred at the late muster in the said Islands, and to impower your petitioner, for so longe time as the said commanded men shall be under his command in the said guarrisons, at a muster to fill up such vacancies as shall happen as aforesaid by admitting such able and fit persons as the Muster-Master shall approve of. And your petitioner, etc.

"Dublin Castle, 18 May, 1668.—We pray our very good Lord, the Lord Baron of Kingston,<sup>2</sup> Lord President of the Province of Connaught, to consider of this petition and to certify us what he shall conceive to be fit to be done thereupon.—OSSORY."

"Dublin, the 13th of June, 1668.—May it please your Excellencie, In obedience to your Excellencie's commands of the 18th of May last, I have considered of the within petition and doe humbly conceive that upon the death or running away of any souldier sent from any particular company of foote of the standing army of this kingdome, to serve in the Isles of Arran, the officer commanding the souldiers ought to give notice to such respective Captain or other officer commanding the company to whom the said souldiers so run away or dead, did formerly belong, to the intent the said Captain or the officer commanding in his absence may speedily supply such vacancies. And in case the respective Captain, or his officer commanding, upon notice given as aforesaid shall not take speedy course to supply the vacanyes, I humbly conceive

<sup>1</sup> See Ninth Report of this Commission, Part ii., 1884, p. 507.

<sup>2</sup> Sir John King, created Baron Kingston in 1660.

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it but reasonable the petitioner or the officer commanding in the said Isles of Arran doe from time to time intertaine such men as shall supply the places of such as shall dye, run away, or be disbanded. I further humbly conceive that the officer who did command in the Isles of Arran in the petitioner's absence, ought to have given notice to the officer of the Earle of Mountrath's company before he intertained any in the places of those dead or run away formerly sent out of that company. But because the Muster-Master inlisted the said men, and they have ever since done their duty, the checque imposed by the Earle of Mountrath's Lieutenant ought to be taken off, and the two souldiers have their pay allowed them. All which is humbly submitted to your Excellencie by, may it please, your Excellencie's most obedient servant.—KINGSTON.

"Dublin Castle, the 17 of June, 1668.—Upon consideration of the foregoing certifycate of our very good Lord, the Lord Baron of Kingston, Lord President of the Province of Connaught, we are pleased that the cheques within mentioned be taken off; whereof the Muster-Master General is to take notice; and we are also pleased that the rule by the said certifycate proposed be observed for the time to come.—OSSORY."

Edward Courtney, Ensign to Colonel Thomas Coote's company.—Removal of "cheque" from his pay, for overstayed leave, caused by illness.—15 June 1668.

Luke Tomson.—Recovery of amount due by Captain Gilbert Rawson to petitioner as administrator to Robert Nicholson.—2 June, 1668.

Henry More O'Neale.—"That your petitioner, having noe other education or imployment save what the late calamitous times of war and trouble afforded, lived alwayes in the condition of a souldier for the most part in his Majestie's service, and, after the war, having noe means of subsistence, having become guilty (as it proveth) of some actions which hath rendered him lyable to the censure of the law, which put your petitioner on his keeping until his Majestie's happy returne, when your petitioner expecting oblivion of his offences past, submitted himself to his Majestie's lawes and protection, and was for some time a horseman in his Majestie's standing army, and so continued until some persons, who had prejudice to your petitioner for some past actions, accused him before Sir Richard Kennedy,<sup>1</sup> at Lent Assizes at Dundalke, in 1664, for robbery committed in the late times, whereof your petitioner was found guilty. But the said Judge, upon the consideration aforesaid, (as the petitioner supposeth) did not proceed to judgment against your petitioner, who remained long in goale until the same happened to be broke by other malefactors, with whom your petitioner escaped. But being easily and quickly retaken, was for this offence likewise indicted and found guilty before the same Judge in Lent Assizes, 1666, who notwithstanding forbore as formerly to proceed to sentence your petitioner. In which condition your petitioner remained until Summer Assizes last at Dundalke, when he was sentenced for these causes by Sir Jerome Alexander,<sup>2</sup> who notwithstanding reprived him from time to time since, conceiving your petitioner a fit object of his Majestie's pardon and mercy. May it therefore please your Lordship to consider your petitioner's long imprisonment, sad condition, and the forbearance justly afforded your petitioner by his Majestie's Judges, and grant him a pardon for the said offences; and to require the said Judge's opinion of your petitioner's case,

<sup>1</sup> See p. 72.

<sup>2</sup> See p. 49.

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and to order thereupon agreeable to the condition of one of the greatest paupers living, that the said pardon may issue in forma pauperis. And your petitioner, etc.

"Dublin Castle, the 27th of April, 1668.—We pray the Judges, before whom the petitioner was tried for the matters in this petition mentioned, to certify us how the same did appeare upon his several tryals particularly, together with their opinion whether they conceive the petitioner for those matters to be an object of his Majestie's mercy.—OSSORY.

"May it please your Excellencie: in obedience to the above order of reference, dated the 27th of April last past, on the petition of Henry More O'Neile, I doe hereby certify that at an Assizes and general gaole delivery held before me at Dundalke for the county of Lowth, the 27th day of February, the 17th yeare of his now Majestie's reigne, the said Henry, by the name of Henry More O'Neile of Dunbin in the county of Lowth, gentleman, was indicted, tried, and found guilty of the felonious assaulting and robbing of one Gawen Tippin, the 9th day of August, in the 12 yeare of his Majestie's reign, in the King's highway, neare Dunbin aforesaid, in the county aforesaid. Whereupon, then and there demanded what he could say for himselfe why judgment of death and execution thereupon should not be awarded against him, the said Henry did then and there plead the Act of Indempnity of England. Whereupon the Court did then advise and did respite the giving of judgment against him upon the said plea until the next assizes following. I also certify that I finde that at an Assizes and general gaole delivery, held before me at Dundalke for the county aforesaid, the 18th day of March, the 19th yeare of His Majestie's reigne, the said Henry More O'Neile was indicted, tried, and found guilty of the felonious breaking of his Majestie's gaole at Atherdee<sup>1</sup> in the said county, and making his escape out thence the 16th day of December in the said 12th yeare of His Majestie's reigne, being in the said gaole for the fact aforesaid. Whereupon the court did then also respite judgment against him, the said Henry, until the next assizes to be held for the county aforesaid. All which I humbly certify this 8th day of May, 1668.—RICHARD KENNEDY.

"Dublin Castle, the 12th of May 1668.—We did, by our foregoing order of reference of the 27th of this last moneth, given on the within petition of Henry More O'Neile, direct that the Judges before whom the petitioner received his tryal should not only certify us how the matters in the said petition mencioned did appeare upon his several tryals particularly, but also their opinion whether they conceived the petitioner for those matters to be an object of his Majestie's mercy. But by the certifiacte of Sir Richard Kennedy, Knight and Baronet, second Baron of his Majestie's Court of Exchequer, before whom the petitioner was tried, we finde not that there is any opinion certified, as by our said order was required; wherein we conceive the said certifiacte to be short and expect that the same in that point be supplied.—OSSORY.

"May it please your Excellencie: In obedience to the above order, I doe humbly certify that the within petitioner, Henry More O'Neile, is altogether a stranger to me. But having made inquiry [I] doe finde by the relation of persons of credit and quality that they judge him to be a fit object of his Majestie's mercy. All which I humbly certify this 8th day of June 1668.—RICHARD KENNEDY.

<sup>1</sup> Ardee, in County of Louth.

"Dublin Castle, the 19th of January 1668 [-9].—Upon consideration of the several within certifiycates of Sir Richard Kennedy, Knight and Baronet, second Baron of his Majestie's Court of Exchequer in this kingdome, we are pleased that the petitioner, Henry More O'Neile, giving security of the penalty of one hundred pounds sterling, before the next goeing Judges or Judge of Assize for the county of Louth, that within six weekes after he shall be set at liberty out of the restraint wherein he now is, he shall ship himselfe for the Barbadoes and not come on shore until he shall be landed there, nor returne into this kingdome without the lycence of his Majestie or the Chief Governor or Governors here for the time being, uppon certifiycate of the said Judges or Judge of the giving such security, the Marshal or other officer in whose custody the petitioner doth remaine shall set him at liberty.—OSSORY."

Philip Harryes.—Leave to sue Sir Francis Foulke and other members of the army.—25 June 1668.

Francis Simpson.—Leave to sue William Supple, Lieutenant to Colonel John Jephson's company.—25 June 1668.

George Sweeting.—Restoration to his former post, as Sergeant, in Colonel John Butler's company.

Henry Meagh.—Leave to proceed against James Benson, of Captain Moreton's company; and stoppage of Benson's pay to meet damages.—10 June 1668.

Rebecca Proctor.—Removal of cheque from arrears of pay due to her late husband for service as trumpeter in Sir Oliver St. George's troop; with certificate.—27 June 1668.

Lieutenant Edward Brabazon, late Lieutenant to troop of Lord Glenaully.<sup>1</sup>—Removal of cheque from pay due to date of petitioner's resignation.—13 July 1668.

Thomas Drackford.—Arrears for service as Sergeant to Sir Thomas Fortescue, of Carrickfergus; with certificate.—13 July 1668.

Francis Hutton, Lieutenant.—Removal of cheque placed on petitioner's pay, at the instance of Edward Griffith; and permission for Griffith to proceed at law.—14 July 1668.

Edmund Bradshaw, John Higgins, and Henry Joyce.—Arrears for service in the life-guard.—15 July 1668.

Francis Williams.—Payment of ten months' arrears due to petitioner as trooper under the command of Sir Theophilus Jones.—23 July 1668.

John Rogers, late Corporal in Lord Conway's troop.—Payment of ten months' arrears.—20 July 1668.

John Kelly, brewer.—Recovery of amount due by Thomas Freeman, Sergeant in Major Beversham's company.—22 July 1668.

Richard Farley, Lieutenant, and Ensign William Littell, of Sir John Stephen's company.—Payment of half of their ten months' arrears.—18 July 1668.

Anthony Stowell, Kinsale.—Recovery of debt from James Hibbins, Sergeant in Colonel Howard St. Leger's company.—27 July 1668.

William Barker, burgess of Wexford.—Leave to proceed against Ensign Pollexfen for assault.—6 June 1668.

<sup>1</sup> Hugh Hamilton, Baron of Lunge in Sweeden, and of Glenawly in Fermanagh.

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Theobald [Taaffe], Earl of Carlingford.—Exemption of his estate from the three-penny rate.—31 July 1668.

Francis Tuke, Corporal, and James Kelly.—Payment of ten months' arrears for service in Sir William Meredith's troop; with certificate.—4 August 1668.

Richard Andrew.—Permission, as hitherto, to have the care of his brother-in-law, Peregrine Prittie, said to be dumb and idiotic, on the ground that his interest in lands in Carlow, held in Prittie's name, would be injuriously affected if the latter were made a ward of the King.—5 August 1668.

John Roys and Robert Dodson, farmers for the granting of licences.—Recovery of Excise duty from members of the army retailing beer, etc., in Dublin.—6 August 1668.

Robert Tompson. — That Richard Doggett is indebted to your petitioner in £10 for dyet and lodging for himselfe, wife, etc., and is able to pay the same, but denieth soe to doe, and being one of the company on board the pleasure-boate, the petitioner has noe remedy against him, and therefore prayes be may be ordered to satisfy the petitioner or left to law. And your petitioner, etc.

"10 June 1668.—Referred to Sir Robert Byron, to heare both parties and examine the business and end the difference by consent if he could, or else certify what should appeare unto him.—OSSORY.

"In obedience to your Excellencie's reference of the 10 of June, I called the parties before me, to examine the matter in difference betwixt them, where being met, the defendant confessing the debt, they of themselves came to an agreement, to both their satisfactions. But since then the defendant absents himselfe and will not be found to performe what he of himselfe undertooke. All which I doe humbly certify this first of August 1668.—ROB. BYRON.

"Dublin Castle, the 4 of August 1668.—If Richard Doggett, against whom the petitioner doth complaine, shall not within six dayes after sight or notice hereof performe the agreement mentioned in the foregoing certificate of the Master of the Ordnance, we leave the petitioner at liberty to take his remedy against him, by due course of law, notwithstanding any priviledge to which he may pretend by reason of his employment in the vessel within mentioned.—OSSORY."

Robert Tompson.—Recovery of amount due for quarters by James Tobyn and George Lyndon, of the guard of horse.—4 August 1668.

George Phillipps, farmer of the hearth-money, Ulster.—Leave to sue Arthur Mulhallen, of Lord Dungannon's troop, for hearth-money collected by him.—6 July 1668.

Shane O'Birne, alias O'Bryn.—Certificate recommending him to mercy, after conviction for burglary at Drogheda.—8 August 1668.

Lord John Butler.—Praying that the Commissioners of Excise may be ordered to pay amount assigned on them for maintenance of the troop of guards.—10 August 1668.

Keane Carroll.<sup>1</sup>—"That your petitioner, a Dominican fryer, continued close prisoner nineteen moneths, until, at the end thereof, paying £20 fees he was set at liberty to relinquish the kingdome the 15th of this instant August, uppon entring security. That, by reason of his owne sicknes and disability of his friends at present to further him to performe the going out of the kingdome, he is not able to undertake any land or sea

<sup>1</sup> See pp. 62, 74.

voyage without endangering his life, and also that he hath entred security for his said departure. May it therefore please your Excellencie to grant your petitioner three moneths time for his better preparation to depart the kingdome, he entring his said former security at the expiration thereof to doe soe. And your petitioner shall pray, etc.

"Dublin Castle, the 10 of August 1668.—We are pleased that the time by the order of the Lord Lieutenant of this kingdome, uppon the petition of the petitioner, dated the 13th day of April last, appointed for the petitioner's departure out of this kingdome, be enlarged until the 15th day of November next, and that he may in the meane time continue in this kingdome, he giving the same security with the same condition which formerly he did give that he shall, by or before the said 15 day of November aforesaid, depart thereout, and that whilst he shall remaine in this kingdome he shall behave himselfe inoffensively and as becometh a loyal subject, without acting anything contrary to the lawes and statutes of force in this said kingdome.—OSSORY."

"Earle of Carlingford.—We, the undernamed, are of opinion that so much of the within charge should be assigned unto the petitioner as the summe to be charged on his owne estate shall amount unto, to be allowed unto him out of the said estate by the receivors thereof, in regard it is well knowne to us that he hath on all occasions meritted the same and much more as by the Act intended; which we humbly certify the 1st August 1668.—MILO POWER.—ROB. TALBOTT.—Geff. BROWNE.—ATHENRY.<sup>1</sup>—N. PLUNKETT.

"Dublin Castle, 10 August 1668.—Uppon consideration of the foregoing petition of Theobald [Taaffe], Earle of Carlingford, and of what is written under our order of the 31st of July last, given on the said petition, and subscribed by the Lord Baron of Athenry, Sir Nicholas Plunkett, Knight, Sir Robert Talbott, Baronet, Colonel Milo Power, and Geffry Browne, Esquire, and in pursuance of the Act of Parliament in the said petition mentioned, [we are pleased that so much of the within charge] shall be assigned to the petitioner as the summe to be charged on his owne estate shall amount unto, to be allowed unto him out of the said estate by the Receivors of those moneys.—OSSORY."

James Swanton, farmer of Excise, county Kildare.—Recovery of Excise duty from several soldiers.—8 August 1668.

Arthur Rowland.<sup>2</sup>—"That your petitioner by a former petition set forth that, concerning the abuse doo to Mrs. Mary Ware by one James Shirley, an unjust information was given that your petitioner had to doe in that busines. But, upon your Excellencie's reference to Captain Shaw, he hath reported your petitioner so free from blame that he hath been serviceable to the gentlewoman therein, and your petitioner doth understand your Excellencie hath been pleased to restore the petitioner to his former capacity instead of one Edward Healy late deceased out of Captain Gilbert Swinhoe's troop of which your petitioner was. Your petitioner doth now humbly desire that he be not only restored to his former employment, and to attend his duty here in towne, but that he may be allowed as of the last muster and receive his pay accordingly. And he, etc.

"Dublin Castle, 2 July, 1668.—The Muster-Master General is to informe himselfe how this matter stands, and to certify us thereof, with his opinion of the petitioner's request.—OSSORY.

"May it please your Excellencie: There being one entred, by order of the Lord President of Munster, at the muster of Captain Swinhoe's troop

<sup>1</sup> See p. 1.

<sup>2</sup> See p. 50.

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in March last in the place of Edward Healey dead, I humbly conceive it fit that Morgan Madden, who was entred upon the discharge of the petitioner, be dismissed, and the petitioner readmitted into the said troop, and as one of the commanded men in this cittie, and allowed from the last day of June last. All which I humbly submit to your Excellencie's pleasure. Dated the 30th day of July 1668.—ABRAHAM YARNER.<sup>1</sup>

"Dublin Castle, the 13th of August 1668.—Upon consideration of the above certifiacte of the Muster-Master General, we are pleased and doe hereby order that Morgan Madden in the said certifiacte named be dismissed out of the horse troop under the command of Captain Swinhoe, and that the petitioner, Arthur Rowland, be readmitted into the said troop, and as one of the commanded men in Dublin, and allowed from the last day of June last; whereof as well the said Muster-Master as all other officers whom it may in any sort concerne are to take notice.—OSSORY."

Thomas Digby.—Order as to recovery of ten months' arrears due to some soldiers of Sir Francis Hamilton's troop, and assigned to petitioner on foot of amount due by them.—10 September 1668.

Charles De Twitty.—"Complaineing of Edward Grimes, of the guard of battleaxes, for wrongfully arresting him, and other unjust troubles, to his great charge; and that the said Grimes being arrested, one Christopher, another of the said guard, did rescue him, tho' the petitioner had liberty to take his remedy by law against the said Grimes. Upon which petition the petitioner is left to take his legal remedy against both the said persons.—14 August 1668."

John Wilkinson and Roger Bradshaw.—Order on petition for ten months' arrears for service in Sir Oliver St. George's troop.—14 September 1668.

George Mathew.—Compensation for horse taken by Samuel Ireland, a member of the army.—17 September 1668.

Major Robert Edgeworth,<sup>2</sup> Governor of Sligo.—"That one William Webb, deceased, being intrusted by the late usurpers in building the fort of Sligo, and having received several considerable summes of money for that use, the petitioner, at his coming to garrison there, found a quantity of timber and certaine other materials that had been bought by the said Webb for the use of the fort, and which have ever since and still doe remaine there. That Captaine Henry Webb, pretending to the estate of the said William Webb, did claime the said timber and materialls, which really belong to the King. And there being lately a processe of green wax issued to the Sheriff of Sligo for £300 arrears of rent to his Majestie on the said William Webb's estate, the said Sheriff threatens to seise the said timber and materialls which belong to his Majestie, tho' the said William Webb left a very considerable estate in land now possessed by the said Captain Henry Webb, which is sufficient to answer the King. And the petitioner being able and ready to make appeare that the said timber, etc., was bought with the publique money and belongs to his Majestie, and is necessary for the use of the said fort, he prays your Excellencie will be pleased to empower the petitioner to keep the same until the matter be further examined before your Excellencie, the petitioner heard therein, and that further order shall be given concerning the premises. And your petitioner, etc.

"Dublin Castle, 15 September 1668.—Captaine Henry Webb within named is hereby required, within ten dayes after sight or notice hereof,

<sup>1</sup> See Ninth Report of this Commission, Part ii., 1884, p. 600.

<sup>2</sup> See p. 11.



to make answere in writing to this petition, and to shew cause (if any he can) why the timber and other materials therein-mentioned should not remaine where they now are for his Majestie's service. And, until we shall give further order concerning the said timber and other materials, the same are not to be removed, but to continue in the place where they are; whereof as well the Sheriff of the county of Sligo as all others whom it may any way concerne, are to take notice.—**OSSORY.**"

Patrick Tweedy.—Recovery of amount due by Edward Bolton, of Colonel Dillon's troop.—19 September 1668.

Teige Fitzpatrick.—"That one David Corcran, of Colonel Dillon's troope, hath for three yeares robbed him of his corne and other moveables in the King's County, to weary your petitioner of his farme. May it please your Excellencie to require the said Corcran to desist troubling your petitioner, and that the said justices of peace in the said county may be directed to apprehend him and binde him to the good behaviour. And your petitioner, etc.

"Dublin Castle, 19 September 1668.—"We thinke not fit to give any other order upon this petition than to leave the petitioner at liberty, as hereby we doe, to take his remedy by due course of law against the within named David Corcran, notwithstanding his military capacity.—**OSSORY.**"

Richard Grey.—Recovery of amount due to petitioner and Elizabeth Tipping by Joseph White, of Lord Annesley's tooop.—24 September 1668.

George Cooke, of Irishtown, county Kildare.—Quiet possession of rectorial tithes of Straffan, (leased to petitioner by Sir Thomas Armstrong's former agent), notwithstanding new lease to another party by the present agent; and praying that the latter may be prevented from employing soldiers to take possession of same under the new lease.—23 September 1668.

Nathan Bentley, of the parish of St. Nicholas-within-the-walls, Dublin.—Recovery of amount advanced to Captain Hungerford for the use of his men.—30 September 1668.

John Freeman.—Recovery from Colonel Willoughby, of money lent to Marriaduke King, deceased, of his company.—29 September 1668.

John Andrewes, prisoner in Maryborough, Queen's County.—Leave to proceed against John Short, a soldier, for having conveyed to England a person liberated on bail, against whom petitioner had an action for debt pending.—28 September 1668.

John Boyse and Robert Dodson, farmers for granting licenses, plaintiffs; Thomas Glassopp, defendant.—Affidavit of service of order on defendant, requiring him to give the satisfaction demanded, etc.—2 October 1668.

William Wright.—Certificate and order on petition for ten months' arrears due for service as Sergeant to Colonel Cecill's company.—2 October 1668.

Nathaniel Philpott.—Recovery of amount due by Captain Robert FitzGerald, of Lord Shannon's troop.—7 October 1668.

William Webb.—"That your petitioner was lately actually possessed, by vertue of an assignment from John Baxter, Esquire, now Comptroller of your Lordship's Household, of a mannor and lands in the barony of Ratoath and county of Meath called Donamore and Bullstowne, on

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which your petitioner had the last harvest 30 acres of wheate-corne, 30 acres of meslin, and 20 acres of beare-corne, together with 10 acres of March beare barley, and oates, whereof he hath been dispossessed by the said John Baxter. Now forasmuch as your petitioner is left in a most sad and deplorable condition, scarce able to releive himselfe, his wife, and their six small children: May it please your Excellencie to grant your order for the suing of the said John Baxter, that your petitioner may take his due course in law against the said John Baxter. And your petitioner, etc.

"Dublin Castle, the 9th of October, 1668.—"The petitioner is at liberty to take his legal remedy against John Baxter, Esquire, notwithstanding any priviledge he hath by his dependency upon the Lord Lieutenant of the kingdome or upon us.—OSSORY."

Gerrard Irvine.—Recovery of amount due by Lieutenant-Colonel George Stewart.—10 October 1668.

Margaret, widow of Sergeant Jacob Bainbridge.—Payment of ten months' arrears due to her late husband for service in Sir Thomas Wharton's company; with certificate and order.—14 October 1668.

Walter Ledwich, plaintiff; Thomas Whitney, defendant.—Affidavit of service of order, requiring defendant to give satisfaction or to shew cause, etc.—14 October 1668.

Thomas Dicker.—Requesting discharge from Sir Arthur Gore's company, and permission to reside in Galway.—6 October 1668.

Anne Mathues.—Recovery from William, Lord Brabazon, of salary, etc., due to petitioner as his house-keeper.—16 October 1668.

William Texteth.—Recovery of arrears of rent due by Alexander Shenton, of the troop of the Earl of Drogheda.—20 October 1668.

Henry, Viscount Kingsland.—Recovery of arrears of rent due by Captain Adam Molyneux.—23 October 1668.

Eleanor Lock, alias Dracott.—Recovery of arrears of rent due by John Lock, of the life guard.—23 October 1668.

Joseph Bunbury.—Recovery of debt from Robert McNeale, of the life guard.—24 October 1668.

Edward Briscoe, brewer.—Leave to proceed against John Sheppard, of the battle-axe guard, for defamation of character.—24 October 1668.

Edward Briscoe.—Recovery of amount due by William Potter, of the battle-axe guard.—24 October 1668.

John Thorpe.—Recovery of money lent to Robert Turner, of Dublin, a soldier in the Earl of Arran's company.—24 October 1668.

Richard Young.—Recovery of amount due by Robert Newcomen, Deputy Muster-Master, and John Lock, of the life-guard.—26 October 1668.

Humphrey Bell and Richard Hacker, late of Captain Pigott's company. Readmission to that company.—27 October 1668.

Henry, Earl of Thomond.—Corporals George Jaques, William Martin, and Benjamin Aldhouse, of Colonel Cary Dillon's troop, to be restrained from disturbing, under an Exchequer acquittance, petitioner in Clare.—27 October 1668.

Martin Folkes, on behalf of the Earl of Angiesey.—Leave to proceed against Colonel Howard St. Leger, for the recovery of money, etc.

entrusted to him by Captain Donovan for the use of Lord Anglesey.—  
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Inhabitants of the parishes of Palmerstown and Ballyfarmott [Dublin].  
—"That your petitioners' estates lying convenient for graseing such cattel as come to be sould at Dublin, by which they have made most part of the profit out of their said estates, but your petitioners, and those that grase with them, have since the shutting in of his Majestie's Parke noe way to bring their cattell to the markt but through the cittie and suburbs of Dublin, in part of which the passages are so straight that the cattel give offence, and therefore some persons have killed several of them and others have been spoyled in the said streets, whereby the persons that formerly grased with your petitioners are discouraged and drive their cattel to more remote places, which causeth the petitioners' lands to lye waste. They, therefore, most humbly pray your Excellencie to give order that the petitioners may have liberty to drive such cattel as belong to or are grased on the lands of the said two parishes through the said parke entering at the south gate that leads to Killmainham, and so through the east gate that leads to Oxmantowne Greene, and that this liberty may continue for the space of foure moneths, your petitioners or they that drive through doing noe prejudice unto any of his Majestie's concernes in the said parke. And they, etc.

"Dublin Castle, the 27th of October, 1668.—Uppon consideration of this petition, we are pleased hereby to grant the request thereof in such manner and for such time as is thereby desired, whereof all persons whom it may any way concerne are to take notice, and so allow the petitioners the benefit of this our order, provided that neither they nor any of them, nor such person or persons as shall be imployed by any of them in driving cattel through his Majestie's parke shall not doe any prejudice to his Majestie's interest therein.—OSSORY."<sup>2</sup>

Rowland Williams.—Recovery of rent arrears issuing out of lands in the county of Louth.—27 October 1668.

Keane Carroll.<sup>3</sup>—"That your Excellencie was pleased upon the exhibition of the annexed petition to enlarge the time of his departing out of the kingdome unto your petitioner until the 15th day of November next, as by your Excellencie's gracious order thereupon appeareth. Now, see it is, may it please your Excellencie, that your petitioner's former insalubrity and weaknesse of body as yet continueing renders him unable without the manyfest danger of his life to expose himself to any travaile in this winter-like season. Which considered, and that your petitioner is very ready to give the same security and conditions which formerly he gave for his loyalty, inoffensive and civil behaviour and conformity to his Majestie's lawes and statutes in this kingdome: May it therefore please your Excellencie, for the tender mercy of God, and towards the safety of your petitioner's health, to grant him time, upon the said former security and conditions, to remaine in the kingdome until the last day of February next, and upon the renewing of his present bonds to order the cancelling of the former. And your petitioner, etc.

"Dublin Castle, the 29th of October, 1668.—We are pleased that the time, by our order of the 10th of August last, enlarged for the petitioner's departure out of this kingdome, be further enlarged until the last day of February next, and that he may in the meane time remaine in

<sup>1</sup> This petition is addressed to the Duke of Ormonde.

<sup>2</sup> See p. 79.

<sup>3</sup> See pp. 63, 74.

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this kingdome, he giving to the Clerke of the Council the like bond and security which formerly he did give upon our order aforesaid, with condition that he shall, by or before the said last day of February, depart out of this kingdome and not returne thereinto without the lycence of the Chief Governor or Governors of this kingdome, which for the time shall be, in writing, to be first obtayned for such his returne, and that whilst he shall remaine in this kingdome he shall behave himselfe inoffensively and as becometh a loyal subject, without acting anything contrary to the lawes or statutes of force here, in which condition words are also to be inserted and to be part of the said condition, that if we, or other the Chief Governor or Governors aforesaid, shall order that the petitioner shall, before the said last day of February aforesaid, depart out of this kingdome, he shall depart accordingly within ten dayes after notice of such order shall in writing be left at the now dwelling-house of James Comerford, scituate in St. James's street without St. James's Gate in the suburbs of the city of Dublin, and not returne thereunto without such lycence as aforesaid, and upon the petitioner's givinge such security as aforesaid, the bonds by him and his suretyes formerly given to the Clerke of the Council, in pursuance of our said former order, are to be cancelled; whereof the said Clerke of the Councell is to take notice, and to cancel the same accordingly.—OSSORY."

Thomas Sandon and Mary, his wife.—Recovery of rent arrears due by Jason Whittroe, Quarter-Master in Captain Bertye's troop.—30 October 1668.

Robert Tennant, saddler.—Recovery of amount due by Edward Trevor, of Lord Dungannon's troop.—2 November 1668.

Erasmus Rippon, Sergeant-at-Mace, Wexford.—Leave to proceed against Ensign James Pollexfen for having assaulted petitioner while arresting him under a warrant.—3 November 1668.

Katherine Manwaring.—Permission to sue Thomas Bedborough, Quarter-Master in the Earl of Ossory's troop, for recovery of property in the Queen's County, left to petitioner by her late husband, Donagh Bray, and now wrongfully withheld by her daughter, Bedborough's wife.—2 November 1668.

Bryan Heyne,<sup>1</sup> farmer of Sheriff's Customs for cattle coming to market on the south side of the city of Dublin.—Praying that the order granting permission for cattle, grazed on the lands of the inhabitants of Palmerston and Ballyfarmott, to be driven through the Phoenix Park to Oxmantown Green, may be suspended.—11 November 1668.

Richard Lord.—Recovery of debt from Constantine Raven, of Viscount Shannon's troop.—10 November 1668.

Keane Carroll.<sup>2</sup>—"Dublin Castle, the 18th of November, 1668.—Having by our foregoing order of the 29th of October last directed that it should be part of the condition of the bond in that our order mentioned that if we, or other the Chief Governor or Governors of this kingdome, shall order that the petitioner, Keane O'Carroll, shall before the last day of February next depart out of this kingdom, he shall depart accordingly within ten dayes after notice of such order in writing shall be left at the dwelling house of James Comerford, in our said order of the 29th of October aforesaid named, and not returne into this said kingdome without the lycence of us, or other the Chiefe Governor or Governors aforesaid, we are now pleased and doe hereby order that the tenn dayes' notice by that order directed to be left at the said house of

<sup>1</sup> See p. 79.

<sup>2</sup> See pp. 74, 79.

the said James Comerford shall be and stand enlarged for thirty dayes ; whereof the Clerke of the Counsell, who by our order aforesaid is to take the bond with the condition thereby directed, is to take notice, and to draw the said condition accordingly.—Ossory.”

Nicholas Bayly,<sup>1</sup> Major.—Recovery of rent arrears from lands in the county of Louth, from James Smallwood, one of the Deputy Muster-Masters.—10 November 1668.

Randal [Fleming], Lord Baron of Slane.—“ That whereas by the Act of Explanacion the Lord Lieutenant, or other Chiefe Governor of this kingdom for the time being, may assess any summe not exceeding three pence per acre profitable land, plantacion measure, or lands which is decreed to any person of the Popish religion, as by the same Act may appeare, your petitioner further sueth that your petitioner is in the assessing thereof overcharged, as your petitioner is to make appeare, and for redresse therein humbly petitioned his Grace the Lord Lieutenant, who thereupon ordered a respite thereof until further order that your Excellencie as your petitioner is informed issued orders for levying thereof on your petitioner's lands your petitioner still being overcharged and had no reliefe therein. Your petitioner's humble request to your Excellency is that your Excellency may be pleased to order a respite for the same until your petitioner be eased in the overcharge and be admitted to shew cause wherefore your petitioner should not pay the same. And your petitioner will pray, etc.

“ Dublin Castle, 16 November, 1668.—John Bence and Alexander Bence, Esquires, and such person or persons as are by them employed to collect the money above mentioned, are to respite the leavying of any sum there on the petitioner's estate for the space of six weekes from the date hereof, to the end that, if the petitioner can in that time make it appeare to us how far and which way he is overcharged for the moneys above mentioned, we may give such further order for his reliefe as shall be found just.—[Ossory].”

Arthur Chichester and John Chichester.—Complaining of simultaneous prosecutions carried on against them in different courts, concerning charges made by Henry Hemsworth and his wife; and requesting that they may be prosecuted at Common Law only.—15 November 1668.

Pierce Martin, Captain.—Requesting to be examined touching Edward Harman's accounts—in connexion with which matter he was bound not to quit the kingdom—in order that he might speedily be able to leave on his own business.—11 November 1668.

Edward Butler,<sup>2</sup> Esquire, son of the Lord Viscount Mountgarrett.—“ That your petitioner being accidentally engaged in the wounding of one William Roberts, without any malice or evil will towards him, he, the said Roberts, shortly after dyed, and the petitioner submitting himselfe to his tryal for the fact was found guilty of manslaughter, and having had the benefit of his clergy, and reading as the law requires in like case, his judgement by law is burning in the hand, the petitioner humbly prayeth that your Excellencie will be pleased to extend his Majestie's mercy unto him and to grant him his Majestie's pardon for the said fact, and all penalties and forfeitures thereby incurred, and that, until he may have time to passe the said pardon, the burning of the hand may be forborne. And your petitioner, etc.

<sup>1</sup> See p. 70.

<sup>2</sup> See p. 82.

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"Dublin Castle, the 19th of November, 1668.—We pray the Judges, before whom the petitioner was tryed, to certify us how the matter for which hee stands convicted did appeare upon his tryal, together with their opinion whether they conceive him to be an object of his Majestie's mercy. And to the end the petitioner may have reasonable time to solicit the report of the said Judges therein, the execution of the judgement of burning him in the hand is to be respited for the space of tenn dayes from the date hereof; whereof all his Majestie's officers whom it may concern are to take notice.—OSSORY."

Viscount Mountgarrett.<sup>1</sup>—"That, in order to the raising of three pence per acre for the Irish Agents, your petitioner hath not bin onely overcharged for his estate that he possesseth in the county of Kilkenny, but also the said charge hath bin imposed on him for lands not in his possession, whereby your petitioner is like to be much prejudiced except by your Excellency relieved. Forasmuch therefore as it appeares by the annexed certificate<sup>2</sup> of the Sub-Commissioners that the persons in possession of the particulars therein mentioned ought to be taxed onely, and to the end that right may be done to your petitioner: It may please your Excellencie to order that your petitioner be not taxed with the said acrage money of any lands, for which the persons in possession of the same are already charged, and to respite the levieing of the said moneys until the matter be determined. And your petitioner shall pray, etc.

"Dublin Castle, 17th November 1668.—Such persons as are concerned in the taxing, assessing, and leavieing the moneys above mentioned are to take care that the petitioner be not charged upon account of those moneys any more nor otherwise than by the Act of Parliament concerning the same is directed and required.—OSSORY."

William Fitzgerald, Lieutenant-Colonel.—Recovery of debt from Lieutenant William Supple.—30 March 1668.<sup>3</sup>

George Houghton, merchant.—Recovery of amount due by Lord Power, a member of the army.—25 November 1668.

Baron of Dunsany.<sup>4</sup>—Renewal of order to Court of Exchequer.—16 November 1668.<sup>5</sup>

Edward Butler, Esq., son of Viscount Mountgarrett.—"That upon a late petition<sup>5</sup> exhibited to your Excellencie, you were pleased the 19th of this moneth to direct the Judges, before whom the petitioner was tryed in his Majestie's Court of Chief Place, and found guilty of the manslaughter of one William Roberts accidentally wounded whereof he afterwards dyed, should certify your Excellencie how the matter appeared upon his tryal, with their opinion, and that the execution of the judgement for burning in the hand should be respited for ten dayes. But the Lord Chief Justice of the said Court being indisposed in health and not coming to Court, and the other Judges being unwilling to report without his Lordship, the said ten dayes draw towards an end, and noe report like to be had during this terme. The petitioner humbly prayeth your Excellencie to enlarge the said respite until the last day of the next terme, before which time the petitioner doth hope to obtaine the report and opinion of the said Judges and to make himselfe appeare

<sup>1</sup> Edmund Butler.

<sup>2</sup> Not in the MS.

<sup>3</sup> This petition is addressed to Ormonde.

<sup>4</sup> Christopher Plunket, tenth Lord Dunsany.

<sup>5</sup> See p. 81.

to your Excellencie capable of his Majestie's pardon for the said fact. And your petitioner, etc.

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"Dublin Castle, the 26th of November 1668.—Upon consideration of this petition, we are pleased that the respite of the burning the petitioner in the hand for the matter above mentioned be enlarged until the last day of the next Hillary terme, whereof all his Majestie's ministers and officers, whom it may any way concern, are to take notice.—OSSORY."

Michael Harrison.—Recovery of debts from Roger Smith, of the horse life-guarda.—26 November 1668.

Captain Philip Carpenter.—"That your petitioner with others concerned in a [16]49 lott in the county of Mayo, whereunto Sir Arthur Gore had been tenant, he doth detain the rent that was due from the terr tenants for the years before the same was sett out. That he hath taken from the petitioner's tenants by force one ayrey [eyrie] of hawkes of the said lands, and refuseth to give satisfaction for the same. They therefore pray your Excellencie to compel him to deliver the said rent, hawkes, and lands, or to give them liberty to take their course at law against him. And they, etc.

"Dublin Castle, the 27th of November, 1668.—If Sir Arthur Gore above named shall not within tenn dayes after sight or notice heereof give the petitioner satisfaccion concerning this matter, we leave the petitioner at liberty to take his legal remedy against him, notwithstanding his military capacity.—OSSORY."

John Warren.—Payment of moiety of ten months' arrears for service as Ensign to Sir Daniel Treswell; with certificate.—6 November 1668.

Thomas Boyd, merchant.—Recovery of amount due for wine by Charles Horne, of the life guard.—4 December 1668.

Henry, Earl of Thomond.—Order on petition for preventing soldiers in Colonel Carey Dillon's troop from disturbing petitioner's tenants in Clare.—8 December 1668.

Stephen Keene.—Recovery of debt from Thomas Maguire.—14 December 1668.

Walter Kirkham Blunt.—Leave to sue Sir William Flower, and others, of the army, in order to recover possession of lands.—15 December, 1668.

Edward Veel and Anne Reading, executors of John Veel, late Cornet to Lieutenant-Colonel Moses Hill.—Payment of arrears.—5 January, 1668-9.

William Lane.—"That your petitioner loyaly served his Majestie in the fleet in the late war against the Hollander and French, and was one that discovered the plot<sup>1</sup> in May, 1663, to his Grace the Lord Lieutenant and to Sir George Lane, his Grace's Secretary, against Warren and the rest. That your petitioner is at present destitute of any employment. May it therefore please your Excellencie to order that the petitioner may be admitted a souldier in what company your Excellency shall think fit in the regiment, whereby your petitioner may be further capable to serve his Majestie. And your petitioner, etc.

"Dublin Castle, the 12th of January 1668[-9].—Upon consideration of the within petition, we think fit and are pleased hereby to recommend the petitioner to the Earle of Arran, Colonel; Sir William Flower, Knight, Lieutenant-Colonel; and Sir John Stephens, Knight, Major of

<sup>1</sup> In reference to this plot, see Eighth Report of this Commission, appendix, p. 502 and Ninth Report, appendix, p. 126.

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his Majestie's regiment of guards, or any of them to be admitted a souldier in any of the companies thereof wherein a vacancy shall first happen.—OSSORY."

Edward Musgrave.—Arrears for service in troop of Lord Glenaully;<sup>1</sup> with certificate.—14 January 1668-9.

Andrew Sterling.—Arrears for service in Lord Berkeley's troop.—14 January 1668-9.

Mary Welbancke, for her husband, Ralph Welbancke.—Arrears for service in the Earl of Mount Alexander's troop.—12 January 1668-9.

Sir John Ponsonby, Knight.—"A petition desiring to be excused from being Sherriff of the county of Carlow (to which he is named), in regard he is a councillor at law, and desires the benefit of that auncient privileged. Referred to the Councell Board to bee considered there.—28 January 1668[-9]."

John Bor,<sup>2</sup> of Dublin, merchant.—"That your petitioner hath formerly paid to Lieutenant Carleton, one of the Lieutenants in the royal regiment, towards his quarters in the parish of Saint Kevan, severall weekeley summes amounting to fifty-foure pounds, ten shillings sterling. That there is but one yeare elapsed since your petitioner served his Majestie as Sheriffe of the county of Dublin, which he discharged loyally and faithfully, to the best of his skill, but not without great charge and damage to his meane estate. That the said Lieutenant Carleton hath sent notice to your petitioner that he intendeth to quarter upon him now againe. The premisses considered, your suppliant humbly prayes your Excellencie would be graciously pleased to grant an order that your petitioner may be respited from quartering till your Excellencie's further pleasure. And he, etc.

"Dublin Castle, the 12th of January 1668[-9].—If Lieutenant Carleton be quartered upon the petitioner, and that thereby the petitioner be over charged for quarter, the Seneschal or other officer who hath quartered the said Lieutenant upon the petitioner is hereby required to see that the petitioner be eased and that he be not charged with more than shall be equal and according to such proportion as other persons of his quality doe beare.—OSSORY."

Nathaniel Carr, Clonmel, merchant.—Recovery of amount due by William Tuksbury, senior, and William Tuksbury, junior, under the command of Sir Francis Foulke and Captain Butler.—22 January 1668-9.

John Freeman.—Recovery of debt from William Kennell, of Lord Shannon's troop.—12 January 1668-9.

Richard Barry.—Recovery of debt from Lieutenant Sir Thomas Newcomen.—27 January 1668-9.

Robert Thornhill.—Exemption from quartering Lieutenant Carleton.—28 February 1668-9.

Keane Carroll,<sup>3</sup> "a Dominican fryer."—"That, upon a petition preferred unto your Excellencie by the petitioner, the 29th of October last, in regard of the petitioner's weaknes of body and disability to travel beyond sea, your Excellencie was pleased to enlarge the former time appointed by your Excellencie for his departure out of this kingdom until the last day of this instant February, upon his giving security to depart the kingdome by that time and not to returne without lycence of the

<sup>1</sup> See p. 73.

<sup>2</sup> See p. 95.

<sup>3</sup> See p. 80.



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Chiefe Governor or Governors for the time being. And the petitioner's weaknes and disabillity still continueing, and like to hold longer, your petitioner now most humbly beggeth that your Excellencie will be pleased to grant him lycence to remaine in this Kingdome, he givinge sufficient bonds and security to appeare before your Excellencie or any other Governor within tenn dayes after notice shall be left at the house of James Comerford in St. James's street, without St. James's Gate in Dublin, and that he shall at all times behave himselfe inoffensively and as becometh a loyal subject, without acting anything contrary to the lawes or statutes of this land, and on givinge such security, the former bonds given by the petitioner to be cancelled. And he, etc.

"Dublin Castle, the 9th February 1668[-9].—We haveing been pleased, by our order of the 29th of October last, given on the petition of the now petitioner then exhibited unto us, to enlarge the time formerly given him for his departure out of this kingdome until the last day of this month, we are now pleased, upon consideration of this petition, to order that the petitioner may continue in this said kingdome for the time of three moneths after the said last day of this moneth, he givinge to the Clerke of the Councell the like bond and security which formerly he did give in pursuance of our order of the 29th of October aforesaid, with condition that he shall, by or before the end of the three moneths herein before mentioned, departe out of this kingdome and not returne thereinto without the lycence of the Chiefe Governor, or Governors thereof which for the time shall be, in writeing to be first obtayned, for such his returne, and that whilst he shall remain in this kingdome he shall behave himselfe inoffensively and as becometh a loyal subject without acting anything contrary to the lawes or statutes of force here. In which said condition words are also to be inserted, and to be part of the said condition, that if we, or other the Chiefe Governor or Governors aforesaid, shall order that the petitioner shall before the end of the three moneths aforesaid (hereby allowed the petitioner to remaine in this kingdome) depart out of this kingdome, he shall departe accordingly within tenn dayes after notice of such order shall in writing be left at the now dwelling-house of James Comerford, scituate in St. James's street without St. James's Gate in the suburbs of the city of Dublin, and not returne into this said kingdome without such lycence as aforesaid, the last bond given by him and his sureties to the Clerke of the Councel upon our said order of the 29th of October aforesaid is to be cancelled, whereof the said Clerke of the Councel is to take notice and to cancel the same accordingly.—OSSORY."

John Archer, mariner.—Praying that Cornelius Cullen and John Doyle, condemned prisoners in Newgate, may be reprieved and transported to Jamaica in petitioner's vessel; with certificate and order.—11 February 1668-9.

Henry Echline,<sup>1</sup> Richard Steele, Walter Rawleigh, Edward Jukes, George Houghton, James Halsey, John Fletcher, Daniel Hignett, William Hanaway, and Charles Norwood, gentlemen.—"That your petitioners were admitted and sworn clarkes of the Registry of the late Court of Claymes sitting at Dublin, and constantly attended and faithfully and honestly discharged that employment for the space of three yeares last past. That George Phillips and John Jeffryes, Esquires, late Registers of the said Court, doe refuse to give any reasonable satisfaction to the petitioners for their said service, but doe leave them to take their remedy against them in law. And for as much as the said Jeffryes is an officer and member in the army here in Ireland and cannot

<sup>1</sup> See p. 88.

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be sued at Common Law without your Lordship's lycence first had, the petitioners therefore humbly pray your Lordship to grant unto them your licence to sue the said John Jeffryes either at Common Law or in Equity, as the petitioners shall be advised. And they shall pray, etc.

"Dublin Castle, 11 February 1668[-9].—John Jeffryes, Esquire, is required, within tenn dayes after sight or notice hereof, to show us cause in writing (if any he can) why the petitioners should not be at liberty to take their legal remedy against him for the matter above mentioned, notwithstanding his military capacity.—OSSORY."

John Huish.—Recovery of amount due by William Summers, of the Court of Exchequer.—9 February 1668-9.

Andrew Lynne.—Recovery of debts from members of the army.—17 February 1668-9.

Francis Rogers.—Like petition.—20 February 1668-9.

Theobald [Taaffe], Earl of Carlingford,<sup>1</sup> and Thomas, Viscount Dillon.—Continuation of respite of quit-rents, etc. on their estates, as previously ordered.—26 February 1668-9.

Richard [Boyle], Earl of Cork and Burlington, Lord High Treasurer of Ireland.—Recovery of debt from Lieutenant Henry Pyne, of Colonel Randal Clayton's company.—22 February 1668-9.

John Chamneys, Dublin, merchant.—Praying that the Customs officers may be ordered to deliver to petitioner "birding-pieces" and powder sent to him from England.—25 February 1668-9.

George Crafford, gunsmith, Dublin.—"That your petitioner served his apprenticeship with Mr. Dornell, your Excellencie's gunsmith, now deceased, and that he hath now upwards of twelve months followed the same employment uppon his owne account, and hath had the conveniency only of a shop neare the posterne gate of the Castle, wherein he hath faithfully and knowingly served several of your Excellencie's followers and others. May it therefore please your Excellencie to grant your petitioner the conveniency of the house wherein Mr. Dornell lately dwelt, whereby he may be more at readynesse to serve your Excellencie as a gunsmith, which he doubts not by God's blesseing to effectuate both knowingly and honestly. And your petitioner shall ever pray.

"Dublin Castle, the 15th of February 1668-[9].—We are pleased that the petitioner forthwith enter into the house in the lower yard of this Castle belonging to his Majestie, wherein John Dornell, deceased, did lately live, and that the petitioner be allowed to live therein and enjoy the roomes and conveniences of the said house which the said Dornell had; whereof all persons whom it may any way concerne are to take notice and to permit the petitioner to enter and enjoy the same accordingly.—OSSORY."

Margaret Healy, widow.—Recovery of debt and arrears of pay due to her late husband by Captain Gilbert Swinhoe.—26 February 1668-9.

Denis Foye, of the Earl of Ossory's troop.—Removal of cheques from pay.—27 February 1668-9.

John Clignett, administrator of Abraham Van Hugareden, merchant.—Recovery of debts from Sir William King and Sir Francis Fowke.—3 March 1668-9.

<sup>1</sup> See p. 69.

William Brookes.—Complaining of assault committed by Henry Read, corporal in Lord Berkeley's troop, and James Henley, junior, of Cork and requesting an inquiry.—4 March 1668-9.

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Walter Bourke, attainted of High Treason.—Pardon, in forma pauperis, with certificate and order.—6 March 1668-9.

Thomas Brisbane.—Recovery of debt from Richard Folliard, of Colonel Hammond's company, Wicklow.—6 March 1668-9.

Henry Gray, late Lieutenant to Major George Ingoldesby.—Arrears.—9 March 1668-9.

Thomas Digby, gentleman, "Porter of His Majestie's Castle of Dublin."—"That Robert Astwood, with whom the petitioner was joyn't patentee of the office of his Majestie's porter of the said Castle, did exhibite the annexed petition<sup>1</sup> to your Excellencie the 18th of July 1665, concerning a celler and a roome over it assigned for his residence in reference to his office aforesaid, which celler and roome being thought convenient for your Excellencie's use, the said Robert Astwood was removed from thence, and upon the annexed certeficate of Sir John Stephens and Captaine John Paine, two other small roomes neere Corke Tower were assigned to the said Robert Astwood in lieu of the roomes from whence he was removed, one of which roomes the petitioner doth possesse and the other is still empty and waste; yet the petitioner is desirous to hold the same, seeing he can finde noe other place wherein to be, and humbly desireth your Excellencie's order to be admitted as well into the roome now empty as the other and hold both the said roomes, the better to attend his duty in the said Castle. And he shall, etc.

"May it please your Excellencie: According to your Excellencie's order within specified, dated the 18 of July 1665, we having examined the petitioner's allegations, doe humbly conceive that the two small low roomes next adjoining to Corke Tower within his Majestie's Castle of Dublin may be best spared your petitioner. All which we humbly certify the 20th of July 1665.—JOHN STEPHENS.—JOHN PAINE.

"Dublin Castle, the 10th of March 1668[-9].—Uppon consideration of this petition, and of the annexed certeficate of Sir John Stephens, knight, governor of this his Majestie's Castle, and Captain John Paine; we are pleased that the petitioner may hold and possesse both the roomes in the said petition mentioned until the same shall by further order be otherwise disposed of, whereof all persons whom it may concerne are to take notice and to permit the petitioner to possesse and hold the said roomes.—OSSORY."

Keane Carroll,<sup>2</sup> "Dominican fryer."—"That upon a former petition of the petitioner's to your Excellencie, the 9th of February last, in regard of the weakenesse of his body and disability to travel beyond seas, your Excellencie was pleased to enlarge the time appointed for his departure out of this kingdome for three moneths after the last of February last, uppon his giving security as formerly, and the petitioner's weakenesse and disability still continuing, and like to hold longer, your petitioner now most humbly beggeth your Excellencie to grant him your lycence to remaine in this kingdome, he giving sufficient security to appeare before your Excellencie, or any other Governor or Governors, within tenn dayes after notice shall be left at the house of James Comerford, in St. James's streete without the Gate, and that he shall in the meane time behave himselfe inoffensively and as becometh

<sup>1</sup> Not in the MS.

<sup>2</sup> See p. 85.

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a loyal subject without acting anything contrary to the lawes or statutes of this land, and on givinge such security the former bonds given by your petitioner to be cancelled. And he shall ever pray, etc.

"Dublin Castle, the 12th of March 1668[-9].—Upon consideration of the within petition of Keane O'Carroll, we are pleased that he may remaine in this kingdome, notwithstanding our order of the ninth of February last, or any former order of ours for his departure thereout, provided that within ten dayes after the date hereof he give bond with sufficient security to the Clerke of the Councel, to his Majestie's use, of the penalty of five hundred pounds sterling, with condition that he shall personally appeare before us, or other the Chiefe Governor or Governors of this kingdome which hereafter shall be, within ten dayes after notice for such his appearance shall be left in writing at the now dwelling-house of James Comerford, scituate in the streete called St. James his streete without St. James his Gate in the suburbs of the cittie of Dublin, and not departe without lycence in writing of us, or the Chiefe Governor or Governors aforesaid, and that, whilst he shall remaine in this kingdome, he shall behave himselfe inoffensively and as becometh a loyal subject without acting anything contrary to the lawes and statutes of force in this kingdome. And, upon the petitioner's giving such bond and security as is hereby directed, the last bond given by him and his sureties to the Clerke of the Councel upon our said order of the ninth of February aforesaid, is to be cancelled; whereof the said Clerke of the Councel is to take notice and to cancel the same accordingly.—OSSORY."

Mary Cox, widow, and executrix of William Cox.—Recovery of amount due to her late husband by members of the army.—11 March 1668-9.

Henry Echline,<sup>1</sup> Richard Steele, Walter Rawleigh, Edward Jukes, George Houghton, James Hallsey, John Fletcher, Daniel Hignett, William Hanaway, and Charles Norwood, gentlemen, plaintiffs; John Jeffreys, Esquire, defendant.—"5 March 1668[-9]: Thomas Jordan made faith that on the 18th day of February last past he shewed to the defendant, John Jeffreys, the Right Honorable the Lord Deputy's order, dated the 11th of February, 1668[-9], whereby the said John Jeffreys, was required, within ten dayes after sight or notice thereof, to shew cause in writing (if any he could) why the plaintiffs should not be at liberty to take their legal remedy against him for the matter mentioned in the plaintiffs' petition, notwithstanding his military capacity. Copia vera.—MATHEW BARRY.

"Dublin Castle, 16 March 1668[-9].—It appearing, by the within affidavit, that our order therein mentioned was on the 18th day of February last shewed to the defendant, John Jeffreys, Esquire, and he not having shewed any sufficient cause to induce us to forbear having him to be sued at law, we are pleased hereby to grant the plaintiffs, Henry Echline, and the rest in the said affidavit named, our lycence to take their remedy by due course of law against the said defendant, notwithstanding his military capacitie.—OSSORY."

Baron of Howth.<sup>2</sup>—Recovery of amount due by Thomas Lee, of the guard of battle-axes.—5 March 1668-9.

Edward Cashen, prisoner at Maryborough.—Pardon, in forma pauperis, for misdemeanour committed before his submission under the proclamation for submission of "Tories"<sup>3</sup>; with certificate.—15 March 1668-9.

<sup>1</sup> See p. 85.

<sup>2</sup> William St. Laurence, Baron of Howth.

<sup>3</sup> See p. 39.

Henry Lowth.—Recovery of purchase-money of land from William Chappell.—20 March 1668-9.

Thomas Hamson, corporal in troop of Lord Glenawley.<sup>1</sup>—Praying to be discharged and paid his arrears.—20 March 1668-9.

Edward Stubber.—Recovery of rent arrears due by Captain Charles Hawkins.—23 March 1668-9.

Robert Cole.—Renewal of warrant for moiety of ten months' arrears due for service under Sir John Cole.—23 March 1668-9.

Thomas Lutterell.—Recovery of debt from Paul Bush, of Lord Roscommon's troop.—24 March 1668-9.

Elizabeth Moore, alias Wheeler.—Leave to sue her husband for maintenance.—29 March 1669.

Stephen Sly.—Recovery of debt from Richard Butterfield, of the troop of the Earl of Anglesey.—31 March 1669.

Thomas Clinton.—Recovery of debt from Robert McNeill, of the guard.—12 April 1669.

Archibald McMullan, late soldier in Captain John Moreton's company.—Recovery of arrears of pay transmitted to Captain Anthony Maslay, or to the Ensign of the company, for petitioner; with certificate.—2 April 1669.

Sir John Develier.—Removal of check from his pay, imposed for overstayed leave.—30 March 1669.

Katherine, relict of Lieutenant-Colonel George Stewart.—Recovery of amount due to petitioner's late husband by Lieutenant Thomas Nicholls, of Sir Charles Hamilton's troop.—7 April 1669.

Sir Thomas Fortescue,<sup>2</sup> Knight.—“That there remains due to the petitioner, and his father, Sir Faithful Fortescue, deceased, as Constables of the Castle of Carrickfergus, and to the warders of the said Castle, ten months' pay, ending the 27th of July, 1662. The petitioner, considering the scarcity of money in his Majesty's Treasury, being contented to accept of a moiety thereof in satisfaction of the whole, he humbly prayeth your Excellencie will be pleased to order the Muster-Master to state the same and make a warrant for payment of the said moiety to your petitioner and the warders. And he shall pray, etc.

“Dublin Castle, the 15 of April 1669.—The Muster-Master General, or his Deputy, is to state the arrears above mentioned and to prepare a warrant for payment of a moiety thereof to the petitioner in full satisfaction of the whole, and present the same unto us for our signature.—OSSORY.”

Nicholas Aunsham.—Recovery of rent-arrears due on lands in the county of Dublin by Robert Farrer, of the life-guard, and Edward Bolton, of Colonel Dillon's troop.—17 April 1669.

Theobald [Taaffe], Earl of Carlingford.—Praying that Trevor Lloyd, Cornet in Lord Dungannon's troop, may be called to account for having cut and spoiled corn and rendered a mill, on petitioner's land in the county of Louth, useless.—7 April 1669.

Edward and William Crofton, late of Lord Collooney's troop.—Payment of ten months' arrears.—20 April 1669.

Arthur St. George, Lieutenant, and Henry St. George, Ensign to Colonel John Bramston.—Renewal of warrants for payment of arrears.—21 April 1669.

<sup>1</sup> See p. 73.

<sup>2</sup> Ancestor of Earls of Clermont.

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Andrew Hewetson.—Praying that his pardon may be passed in forma pauperis.—2 May 1669.

Officers and soldiers of the troop of the Earl of Donegall—"That about twelve moneths since your petitioners had an assignment for £205. 18s. 1d. on the lands of Sir Henry O'Neile in the county of Antrim, about which they have been at great costs and charges, but can get no satisfaction, and upon a late demand to Sir Henry O'Neile's agent, he shewed your Excellencie's order (a copy whereof is hereunto annexed)<sup>1</sup> by which the quit-rent due out of the said estate is respited till Michaelmas terme next; yet the petitioners cannot get the said assignment changed without your Excellencie's order to that effect. May it therefore please your Excellencie to give order to Mr. Corker to take in the said assignment, and in lieu thereof to pay your petitioners in ready mony that they may be equally provided for as the rest of the army. And your petitioners, etc.

"Dublin Castle, the 29th of April 1669.—Uppon consideration of this petition, wee thinke fit and doe hereby order that the Vice-Treasurer's Deputy, takeing in the assignment formerly given the petitioners give them their said pay in money, or give them solvent assignments as thereby they may receive satisfaction for the same.—OSSORY."

Edmund Kilkenny.—"Setting forth that he hath been two yeares prisoner for debt, and now his creditor out of pity has freely discharged the same, and he now stands committed only for £15. fees; formerly lived in good condition, but is now like to dye in prison; and praying a collection in all the churches in Ireland; which petition was the 27th April referred to the Lord Primate who made the certifiacte following:—'May it please your Excellencie; in obedience to your commands, I have considered of the within petition, and in regard the petitioner is of great yeares and a decayed gentleman (of the truth whereof I am fully satisfied by the testimony of persons of honor hereunto annexed)<sup>2</sup> I am humbly of opinion it will be a great act of charity in your Excellencie to grant the petitioner the benefit of a collection in the severall Cathedral and parish churches in the city and suburbs of Dublin, and throughout the province of Leinster, whereby the petitioner may be freed from his restraint. All which I humbly certify and submit, etc.—JA. ARMACHANUS.<sup>3</sup>

"Dublin Castle, the 30th of April 1669.—Uppon consideration of the above certifiacte of his Grace, the Lord Archbishop of Armagh, Primate and Metropolitan of all Ireland, we are pleased hereby to recommend the petitioner, Edmund Kilkenny, to the Deanes of the severall Cathedral churches, and to the ministers of the severall parish churches in the city, and suburbs of the city, of Dublin, and throughout the province of Leinster, for collections to be had for him in all the said churches, towards his reliefe, provided that hereof there be not any use made longer than for the space of six moneths from this day.—OSSORY."

Richard, Lord Coote, Baron of Collooney.—Praying that Captain Robert Oliver may be called to account for having extorted by force, with the aid of soldiers, his own rents and his Majesty's quit-rents from Captain Lewis Griffith.—1 May 1669.

Mathew Cole.—Recovery of debt from William Potter, of the Battle-axe guard; with certificate.—13th March 1669.

Joan Barker, widow.—Payment of ten months' arrears due to her late husband for service in Sir Oliver St. George's troop; with certificate.—29 April 1669.

<sup>1</sup>, <sup>2</sup> Not in the MS.

<sup>3</sup> James Margetson, Archbishop of Armagh.

Mathew Doing, tailor.—Recovery of debt from John Lock, of the life-guard.—16 March 1669.

Robert Walsh.—Recovery of amount due to petitioner, as executor to John Walsh, by Anthony Coape, of the life-guard.—3 May 1669.

William, Earl of Strafford.—Recovery of debt from John Wapooles [Walpole].—4 May 1669.

Mary Rennells, widow, St. George's Lane, Dublin.—Praying that all arrears due to the late Gilbert Heath, for service in Lord Colooney's troop, may be paid over to petitioner as his administratrix, etc.—4 May 1669.

William Bayly, a minor, by his father.—Recovery of legacy, left by Anderly Byrne, from his executor, Lieutenant William Packington, of Captain Carteret's company.—5 May 1669.

Major Richard Goodwin, Lieutenant to Captain Adam Leicester.—Removal of cheque on pay imposed for absence during illness; with certificate.—7 May 1669.

Randal Moore, Cornet in Colonel Cromwell's troop.—Removal of cheque from his own and his servant's pay, imposed for absence in connexion with petitioner's law-suit with Lady Sterling.—6 May 1669.

John Clauer, of his Excellency's life guard.—Praying that his pay— withheld by Mr. Osborne, clerk to the guard, on foot of debts owing by petitioner's predecessor—may be allowed to him.—5 May 1669.

John Gaich.—Leave to sue Major Broughton, and soldiers under his command, for recovery of debts.—7 May 1669.

Margaret Little.—“At the last general sessions of the peace and gaole delivery at Killmainham for the county of Dublin, your petitioner was condemned before Sir William Aston, Knight, and the rest of the Justices for the said county, for the stealing of three pounds, eighteen shillings, and several peeces of linen, the goods of Patrick Toule, of Pimlico, baker, which your suppliant did confesse upon her examination, and the said Patrick had his goods and money againe; and your petitioner beeing a very poore woman, destitute of friends, humbly prays your Excellencie will be mercifully pleased to give order to the said Justices to make report to your honor if they doe think your suppliant a fit object of his Majestie's mercie to be transported for the Barbadoes, or elsewhere beyond the sea. And, etc.

“The Justices before whom the petitioner received her tryal are to certify us how the matter for which she stands convicted did appeare when she was tryed, together with their opinion whether they conceive her to be an object of his Majestie's mercie.—OSSORY.

“May it please your Excellencie :—In obedience to your Excellencie's above order of reference, we hereby humbly certify that at the general sessions of the peace held at Kilmainham for the county of Dublin, 14 January, anno regni Regis Caroli Secundi Anglie, etc. 19, annoue Domini 1667, the within petitioner was indicted and tryed before us for the within mentioned felony, which both upon her examination before her said tryall and at her said tryall, also she freely confessed, and was thereupon (and upon full evidence) thereof convict[ed], and received sentence of death. But upon consideration of her ingenious confession and the passionate sorrow she exprest, the Court reprived her, conceiving her then (as we humbly still conceive her to bee) a fitt object of his Majestie's Royall mercy. All which is most humbly submitted to your Excellencie's just consideration this 3rd day of May, 1669, by your Excellencie's most humble servants. — WILLIAM ASTON. — THOMAS WORSOPP.

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"Dublin Castle, the 7th of May, 1669.—Upon consideration of the foregoing certificate of Sir William Aston, Knight, and Sir Thomas Worsopp, Knight, two of the Justices before whom the petitioner Margaret Litle was tryed, wee are pleased that if any merchant or other person shall give bonds with sufficient security to the Sheriffe of the county of Dublin, to his Majestie's use, of the penalty of one hundred pounds sterling, with condition that the petitioner shall within two moneths after shee shall bee enlarged out of the prison wherein shee doth now remaine, shipp herselfe on board some shipp or other vessell bound for the Newfoundland, Barbadoes, or some port in America, and shall not come on shoare untill she shall bee landed in some of those places, the Sheriffe, or the gaoler under whose custody shee lyes, upon the givinge such bond as aforesaid shall set her at liberty.—OSSORY.

Katherine Paine, widow and administratrix of James Paine.—Payment of moiety of ten months' arrears due to her late husband as Sergeant in Sir James Middleton's company.—11 May, 1669.

Edward Bolton, one of the commanded men of Colonel Dillon's troop.—Praying that the claim of Nicholas Aunsham may be satisfied out of petitioner's pay, and that the order permitting Aunsham to sue him may be stayed.—11 May, 1669.

Robert Farrer, of the Life Guard.—Like petition.—11 May, 1669.

Mrs. Mary Kavenagh, widow.—"That on Munday, the 10th of this instant May, one Mr. Boyle Burt, Quartermaster unto the troop quartered in Limerick, with many more in his company, beeing all armed with firelocks, pistols, and swords came to your petitioner's house at Burrowes, in the county of Carlowe, under what pretence or colour of right your petitioner knoweth not, and did in a riotouse and hostile manner enter forcibly into your petitioner's house, your petitioner being then in this cittie about her lawfull affaires, and did turne out your petitioner's servants, and the possession of the said house doe still detainne in a very hostile manner, not suffering your petitioner's servants either to have meate or drinke for their releife, or take away the seed-corne that was left by your petitioner in her house to be sowne, but do threaten any of your petitioner's servants that shall come neare the house; the truth whereof may appeare to your Excellencie by the oath of one of your petitioner's servants now in this towne. May it therefore please your Excellencie, in regard the said Burt is a member of the army and now in this cittie, to cause him to appeare before your Excellencie and shew cause, if any he can, wherefore he hath turned your petitioner out of her possession, and doth still detainne the same, contrary to all equity and the lawes of the land, to your petitioner's utter ruine, if not releived by your Excellencie. And your petitioner, as in duty bound, will ever pray.

"Dublin Castle, the 14th of May 1669.—Boyle Burt, the Quartermaster against whom the petitioner doth complaine, beeing now in towne is hereby required to make present answeare in writing to this petition.—OSSORY."

William Cooper, of Lord Collooney's troop.—Ten months' arrears.—15 May 1669.

Walter Tuite, Esquire, "sonne unto Andrew boy Tuite<sup>1</sup> of Cullinmore in the county of Westmeath."—"That your petitioner is one of the fifty-foure persons called 'Nominees', mentioned in the Act of Explanation to bee restored to their chiefe mansion-house and 2,000 acres most contiguous, after souldiers and Adventurers had been reprimed. Your

<sup>1</sup> See "Contemporary History of Affaires in Ireland, A.D. 1641-52," Dublin. 1879-81, vol. iii. p. 445.



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petitioner past a certefcate in the Court of Claymes of his chiefe house and 2,000 acres, according to the Act, that of the petitioner's estate there was retrenched by souldiers and adventurers, as also of surplus or concealed lands, 687 acres, as appears by the annexed certefcate of the Sub-Commissioners; that the petitioner is reduced to a very lowe condition by his expence and attendance in the Court of Claims, so that he is disabled at present to sue out his patent of the said retrenched, plus and concealed lands. Wherefore he most humbly prays your Excalencie to give order unto the Barons of his Majestie's Court of Exchequer to grant unto the petitioner a custodiam of the lands aforesaid, at the quit-rent, during his Majestie's pleasure. And he, etc.

"Dublin Castle, the 19th of May 1669.—If it shall appeare unto our very good Lord, the Lord Chiefe Baron, and the rest of the Barons of his Majestie's Court of Exchequer, that the lands which the petitioner doth desire to have in custodiam be in his Majestie's disposall, the said Barons are to issue a custodiam thereof to the petitioner, to continue during his Majestie's pleasure at such moderate rent as they shall think fitt.—OSSORY.

WALTER TUIITE, Esquire.

—	Denominations of Lands.	Irish Acres Profitable.	What of the said lands are retrenched, and by whom.	Irish Acres Profitable.	What lands are unretrenched, and in whose possession the same were, at the time of the adjudication of the clayme.	Irish Acres Profitable.
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## COUNTY OF WESTMEATH.

## Moycashell and Magheridernon Barony.

The Adventurers survey more than the Downe	Cullenmore, and two islands in Loughfoyle	A. R. P. 391 0 0	Thomas White.	A. R. P. 64 0 0	Robert Goodwin, 391 acres, which is the total in the Downe Survey	A. R. P. 391 0 0
	Robinstowne	290 0 0	Norton Westrow. <sup>1</sup>	128 0 7	Norton Westrow.	68 0 3
	Cullenbegg	359 3 8	Moysee Jenkins.	52 0 0	Robert Goodwin.	224 1 35
	Brockagh	123 3 8	—	—	Robert Cooke	83 1 13
	Monyleagh	452 3 24	Moysee Jenkins. Honora Thompson. <sup>2</sup>	41 2 31 117 0 0	Robert Goodwin. Moysee Jenkins.	123 3 8 221 1 9

## Corkerry Barony.

Killinaglisce and Garrynerry, part <sup>3</sup>	381 3 24 <sup>4</sup>	Robert Sterne.	—	Robert Sterne	189 0 1
		—	36 3 19	William Disney	50 0 0
				John Ebzery	26 2 50
	2,000 0 0	Total of re-trenched and un-disposed lands	678 3 17		1,397 1 1

JOHN PETTIE.  
T. TAYLOR.THO. TAYLOR.  
JOHN PETTIE.

<sup>1</sup> "Rest not found adjudged. 47 acres, 48 acres, 3 rds. 3 p. not found claymed or adjudged to any other save the claymant."

<sup>2</sup> "Seventy-one acres not adjudged to any, save the claymant as yet found."

<sup>3</sup> "Not found claymed or adjudged to any other, save the claymant."

<sup>4</sup> "Memorandum: That the last mentioned particular was 80a. or. 34 p. [which] by the Downe Survey are returned 'unprofitable,' although by the souldiers accepted and sett out for 'profitable.'"

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William, Earl of Strafford.—Recovery of debt from John Wockham, of the troop of the Earl of Anglesey.—25 May, 1669.

Henry [Jones],<sup>1</sup> Lord Bishop of Meath.—Recovery of debt from William Hawes, of Lord Roscommon's troop.—25 May, 1669.

Lady Jane Dowdall.—Exemption from Treasury assignments on lands restored to her in the county of Meath, they having been issued for recovery of amount due to the Crown by Sir William Lemon and Thomas Coote, who had only a reversionary interest in the lands.—25 May, 1669.

Ambrose Aungier, cornet in Sir Moses Hill's troop.—Removal of "respite" on his pay.—21 May, 1669.

Robert Oliver, Captain.—Renewal of warrant for payment of moiety of his ten months' arrears for service in Captain John St. Leger's company.—25 May, 1669.

Alderman John Preston.—"That the last terme one Rice Havard was convicted and condemned in the Court of King's Bench, Dublin, for takeing some things from your petitioner, which since your petitioner hath gott againe most of them. That your Excellencie was graciously pleased to reprieve him for tenn days, and in regard hee is a young man and this is the first fault (as I am informed) of that kinde that hee committed, and is very penitent for the same, hee seemes to bee an object of mercy, your petitioner therefore most humbly prayeth your Excellencie's order that hee may bee transported for the West Indies in the shipp "John and Mary" now bound for the Barbadoes, where hee may by God's grace amend his life and prove serviceable to his King and country. And hee shall ever pray, etc.—JOHN PRESTON.

"Dublin Castle, the 26 of May [16]69.—Sir William Aston, Knight, second Justice of his Majestie's Court of Chiefe Place in this kingdome, before whom Rice Havard in this petition named was tryed, haveing certifyed us that the said Havard was convicted for the breaking and entering the dwelling-house of the petitioner, in the night time, and feloniously taking from thence certaine peeces of pewter and other goods of the petitioner's, to the value of twenty pounds, and the petitioner makeing his humble request unto us (as within doth appeare) that the said Havard may bee transported into the West Indyes, wee are pleased and doe heereby order, that if any merchant or other person with sufficient security will give bond to the Clerke of the Councell, to his Majestie's use, of the penalty of one thousand pounds sterling, with condition that the said Rice Havard shall, within fifteen dayes after hee shall bee delivered out of the prison wherein hee doth now remaine, shipp himselfe in some shipp or other vessell bound for some part of the West Indyes and shall not come on shoare untill hee shall bee landed there, nor returne from thence into this kingdome without lycence from the Chiefe Governor or Governors heere for the time being to bee in writing first obtained, upon certifiacte of the said Clerke of the Councell of giveing such bond as aforesaid, the Sheriffe, or gaoler under whose charge the said Rice Havard doth remaine, shall sett him at liberty and deliver him to such merchant or other person or persons as shall engage for him to the purpose aforesaid.—OSSORY."

"Dublin Castle, 8 June 1669.—We are pleased, uppon further explanation on the behalfe of Rice Havard in the above order mentioned to reprove the said Rice Havard for ten days from the date hereof

<sup>1</sup> See Eighth Report of this Commission, Part i., 1881, p. 713.

and doe heereby order that if, within the said ten dayes, the said Rice Havard doe give in security for his transportacion as before mentioned, the Sheriffe or gaoler aforesaid shall pursue the contents of the former order, whereof the Sheriffe and all other persons are to take notice.—  
OSSORY.

"This above order was brought downe, drawne and signed, by Collonel Jeffreys, to be entred, and by him taken away."

Order, 16 June 1669, on petition of Richard Cannaday [Kennedy], Dublin, merchant, that he and another should be accepted as security for Rice Havard by the Clerk of the Council.

Bartholomew Doyle, Proctor of Office for Consistorial Court of the diocese of Meath.—Leave to summon several members of the army as witnesses in petitioner's suit against John Crookeshanke, D.D., Vicar of Trim.—24 May 1669.

Eleanor Fitzherbert, widow, London.—Recovery of amount due to petitioner's late husband by Richard Phillips, one of the Muster-Masters.—25 May 1669.

Arnold Power.—Ten months' arrears for service in Colonel Redman's<sup>1</sup> troop.—28 May 1669.

Roger Jackson and Charles Davenport.—Recovery of amount due by Lieutenant Thomas Evelin.—2 June 1669.

Henry Grindy.—Ten months' arrears for service in Lord Grandison's troop.—2 June 1669.

Richard, Lord Coote, Baron Colooney.—Replication to answers of Captain Robert Oliver, George Taylor, John Bedvins, and Alexander Frizell, and requesting a hearing on matter of petition.—4 June 1669.

Edward Bolton, one of the "commanded men" of Colonel Cary Dillon's troop.—Reference, certificate, and order on petition respecting arrears of rent due by petitioner to Nicholas Aunsham.—4 June 1669.

Robert Farrer, of the Guard of Horse.—Reference, certificate, and order on petition relative to rent-arrears due to Nicholas Aunsham.—4 June 1669.

John Bor,<sup>2</sup> Esquire.—"That your petitioner being High Sheriffe of the county of Dublin for the yeare 1667, there issued a writt unto him out of his Majestie's Court of Chiefe Place to take Stephen Gelder at the suite of Samuel Marsden and Mary, his wife, upon which the said Stephen was taken and committed to Kilmaynham gaole for want of bayle, where hee continued till, by the solicitation of one Thomas Lawrence, a blacksmith, your petitioner's then Under-Sheriffe, Mr. Edmond Todderick, tooke him, with some other inconsiderable persons, to bee bayle for his appearance, who beeing sett at liberty did not appeare, so that your petitioner was fined in £40 or £50, and sued by the plaintiff for an escape and forced to compound the debt. That the said Thomas Lawrence, soone after his entring into the said bond inlisted himselfe in Captain Hungerford's company in the Royal Regiment, on purpose to hinder your petitioner or his said Under Sherriffe to gett any remedy against him. May it therefore please your Excellencie to grant possitive lycence to sue the said Thomas Lawrence at common law without any notice to be given him. And hee, etc.

<sup>1</sup> Daniel Redman was a Parliamentary Commissioner in Ireland in 1652. See "Facsimiles of National MSS. of Ireland," Part IV. 2, Introduction, p. xcix. London, 1884.

<sup>2</sup> See p. 84.

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"Edmond Todderick within named came before mee this day and made oath that the within named Thomas Lawrence inlisted himselfe in the said company presently after his being bound for the said Gelder's appearance, and that this deponent verily beleeveth that the said Lawrence knowes where the said Gelder is, and where to finde him, and that hee also verily believes that if the said Lawrence have the accustomed notice before hee bee arrested, that hee will keep out of the way and not be found to answere the petitioner's complaint. And this deponent further deposeth that hee hath compounded the debt with the within named plaintiff, Marsden, for £30, and hath paid part and secured the rest.—EDMOND TODDERICK.

"Jurat coram me, 3 die Junii, 1669.—J. WESTLEY.

"Dublin Castle, the 4th of June 1669.—Upon consideration of the within petition and the above affidavit, wee are pleased heereby to leave the petitioner and his Sub-Sherriffe at liberty to take his or their remedy by due course of law against Thomas Lawrence in the said petition named, notwithstanding his military capacity.—OSSORY."

Henry, Earl of Thomond.—Recovery of debts from Sir William King and Colonel Francis Willoughby.—2 June 1669.

William Healy, formerly of Lord Colooney's troop.—Order on petition for ten months' arrears.—22 May 1669.

"The petition of the two Quires of Christ Church and of St. Patrick's, Dublin."—"That severall rectories and impropriations returned by the respective Archbishops and Bishops to the Councell Board, in obedience to the order thereof, have been already passed into patent for the use of your petitioners, in the name of his Grace Michael [Boyle], Lord Archbishop of Dublin, etc., and his successors for the time beeing, and in the name of Dr. John Parry and Dr. Thomas Seele, Deanes of the two Cathedralls of Christ Church and of St. Patrick's and their successors for the time being. That those following rectories and impropriations, viz., two third parts of the tithes of Timolin, in the county of Kildare, lately belonging to — Archbold; two third parts of the tithes of Westpalstowne,<sup>1</sup> in the county of Dublin, lately belonging to — Finglasse; two third parts of the tithes of Palmerstowne, in the county of Dublin, lately held by Sir John Dungan, out of lease; two third parts of the tithes of Kilcrath; three pounds per annum out of the tithes of Munckstowne, alias Mountaine, in the county of Dublin, lately held by [blank] Cheevers, out of lease; six pounds per annum out of the tithes of Rathmore, in the county of Kildare; the whole in all worth about £40, all in the diocese of Dublin; the rectory of Cabra, in the county of Sligoe, in the diocese of Elphyn; the impropriate tithes of the rectory of Mothell, in the county of Waterford, of the value of £40. per annum, in the diocese of Lismore; the impropriate tithes of the Grange, in the parish of Killane; the impropriation of Tullabane Temple, in the parish of Liskerig or Killcoverin; the impropriation of Lislerin, formerly belonging to Thomas Bourke, of Pallis; the impropriation of Gortnemannagh, in the parish of Killcreest, belonging to Sir Richard Blake; the impropriation of Farrinnimannagh, belonging to Sir Richard Blake, in the parish of Kilegeleene; the impropriation of Clonkeenkerill, in the parish of Clonkeenkerill, belonging to Sir Andrew Lynch; the impropriation of the parish of Drumacrowe; the impropriation of Killmurrey, in the parish of Finagh; the impropriation of Kinvarra, in the parish of Kinvarra; the impropria-

<sup>1</sup> See "History of the Irish Confederation and War in Ireland, 1641-1643." Dublin: 1882, vol. ii., p. 215.

tion of Killinvarra, in the parish of Killinvarra. These are in the common estimation worth about £35 per annum, all in the diocese of Clonfert. The rectory of Teadmore and Glinogra, in the county and diocese of Limerick; the impropriate tithes of the halfe parish of Toughatye, in the county of Mayo; the impropriate tithes of certaine quarters of land called Cloghbrannagh, in the parish of Drumenagh, in the diocese of Tuam; the impropriate tithes of Blanchvillstowne, in the county of Kilkenny, and diocesse of Ossory; the rectory of Barragh, in the county of Catherlogh and diocesse of Leighlin, being parcell likewise returned by the respective Archbishops and Bishops, as aforesaid, and which have also passed the approbation of the said Councell Board, as by the annexed certefcate<sup>2</sup> under the hand of Mr. Mathew Barry may appeare.

“May it therefore please your Excellencie to require the Auditor-General to make out the particulars of these above mentioned rectories and impropriations, and withall to add a fifth parte of increase of rent, by way of augmentation, according to the rule of Councell in that behalfe, and that the particulers beeing soe made out and addition made as aforesaid that your Excellencie will be pleased to grant a warrant for passeing of the same into patent in the name of his Grace, Michael, Lord Archbishop of Dublin, etc.; and of Dr. John Parry and Dr. Thomas Seele, Deanes of the Holy Trinity and of St. Patrick's, Dublin, for the use of your petitioners. And they will pray.

“Dublin Castle, the 7th of June 1669.—We require his Majestie's Auditor and Surveyor forthwith to make out a particular of the severall rectories and impropriations in the within petition mentioned, with such increase of rent to bee reserved to his Majestie, by way of augmentation, as by order of the Councell Board is prescribed in that behalfe, and the same fairly ingrossed in parchment under their hands to send unto us to bee further passed, as appertaineth. For doeing whereof this shall be a sufficient warrant.—OSSORY.”

Robert Boswell, of Lord Grandison's troop.—Ten months' arrears.—June 1669.

Elizabeth Ludlam.—Ten months' arrears due to her late husband for service in Lord Aungier's troop.—2 June 1669.

Owen Roberts, formerly of the company of the Duke of Albemarle.—Ten months' arrears for service in it.—10 June 1669.

Edward Price, Lieutenant to Major John Beversham.—Ten months' arrears for service in Sir Robert Hannay's company.—10 June 1669.

John Kent, formerly of Captain William Rosse's company.—Ten months' arrears.—9 June 1669.

Gamaliel Moorehouse, formerly of Lord John Butler's troop.—Ten months' arrears.—11 June 1669.

Thomas Juxon.—Leave to sue Colonel Thomas Coote, for breach of covenant in conveyance of lands in the county of Meath.—10 June 1669.

John Magrath.—Recovery of amount due for goods supplied for the use of “commanded men;” with certificate, order, and list.—2 June 1669.

John Dickson.—Recovery of amounts due by Mathew Pennyfather, Quarter-Master of Earl of Desmond's troop, and by John George, a soldier under the command of Sir William King.—15 June 1669.

<sup>1</sup> Not in the MS.

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Sir Oliver St. George.—Praying that all arrears, etc. due to the late Lieutenant Christopher Mathews may be detained in the Vice-Treasurer's hands, pending trial of petitioner's claim on same.—15 June 1669.

Lieutenant Edward Harwood.—New warrant for ten months' arrears.—12 June 1669.

Robert Bumstead and Thomas Lalum.—Ten months' arrears for service in Lord Falkland's troop.—17 June 1669.

John Barrett.—Leave to take proceedings, for defamation of character, against Francis Lullam, of Galway, a soldier in Sir James Cuff's company.—17 June 1669.

Walter Bourke.<sup>1</sup>—"Dublin Castle, 20th of Aprill 1669.—Wee haveing, by our order given the 24th of August last, uppon the annexed petition<sup>2</sup> of Walter Bourke in the within certifiacte and order named, ordered that the Judge of Assize before whom hee received his tryall should certify us concerning the matter of fact in the said petition conteyned, together with his opinion whether hee conceived the said Walter Bourke to bee a fitt object of his Majestie's mercy, and that in the meane time his execution should bee respited; and the said Judge thereuppon, haveing, the 11th day of September last, made the said within certifiacte to us, wee were pleased, uppon consideration thereof, by our within order of the 6th of March last to referr the same to bee considered at the Councill Board, and then also ordered that the reprivall of the said Walter Bourke, granted by the said Judge, should bee continued untill the next Summer Assizes, after the date of that our order, to the end that there might bee further consideration of him at the said Board. And wee having afterwards there considered and advised with his Majestie's Privy Counsell concerning the matter, uppon such consideration, and by and with the advise of the said Counsell, wee are pleased to extend his Majestie's mercy to the said Walter Bourke for the matter for which hee stands convicted: Provided that hee have not had any hand in murder. And wee heereby require his Majestie's Attorney and Solicitor-Generall, or either of them, to draw up a fiant in due forme of law, conteyning his Majestie's gracious pardon to the said Walter Bourke for the matter aforesaid and of all paynes, penalltyes, punishments and forfeitures whereunto hee doth thereby stand subject or lyable, provided as aforesaid, inserting in the said fiant such other provisoes, non obstantes and clauses as in like cases are usuall, and the same, fairly ingrossed in parchment under their or one of their hands, to send unto us to be further passed, as appertaineth. And in regard of the poverty of the said Walter Bourke appeareing by affidavitt, wee are pleased that the said pardon shall passe in forma pauperis, whereof all officers whom it doth concerne are to take notice.—OSSORY."

James Colvill, formerly of Sir Arthur Forbes's troop.—Ten months' arrears.—17 June 1669.

Hugh Sterling, Clerk.—Praying that a caveat may be entered in the Secretary's Office against Christopher Kerdyffe's claim to a vicarage and rectory held by petitioner under patent.—25 June 1669.

"Richard, Lord Power, Baron of Curaghmore, Captaine of a company of foote in his Majestie's army in this kingdome: Uppon his Lordship's petition desiring halfe his tenn moneths' arreare as Captaine, in satisfaction of the whole, which became due between the 21 of October,

<sup>1</sup> See p. 87.

<sup>2</sup> Not in the MS.

1661, and the 27th of July 1662, an order to the Muster-Master to state the said arreare and to make a warrant for payment of halfe accordingly, dated the 25th June 1669."

John Lylles, Clerk, executor of Alderman Henry Bindon, of Limerick.—Renewal of warrant for payment of arrears due to Bindon.—17 June, 1669.

Amy Woodcock.—Recovery of amount due to her late husband by Randal Moore, a member of the army.—23 June 1669.

Peter Flower, Captain.—New warrant for ten months' arrears for service in Lieutenant Sir Thomas Gifford's company.—3 July 1669.

Golden Morrise, formerly of Sir Francis Hamilton's troop.—Ten months' arrears.—2 July 1669.

Thomas Lane, formerly of Lord Grandison's troop.—Like petition.—5 July 1669.

"Charles Graves, formerly of the Lord Grandison's troop.—A petition for halfe his ten months' arreare, in full of the whole, and a direction to the Muster-Master to make a warrant for a moyety."—3 July 1669.

Moses Hill, Lieutenant-Colonel.—Removal of cheque placed on his pay for absence in Dublin at law-suits.—5 July 1669.

Mary Missett, alias Claxam, widow.—Ten months' arrears due to her late husband for service in Lord Berkeley's troop.—5 July 1669.

Samuel Hill.—"That upon the 24th of October last, late at night, there came foure of Major Royden's troop to your petitioner's house, viz., Thomas Masden, John Coe, William Hartley, and John Metcalfe, who violently broke open your petitioner's doores and turned your petitioner's children out of their beds. That, on the 26th of the said moneth, Thomas Conway, Lieutenant of the said troop, came behinde your petitioner and pulled him downe and struck and abused him, your petitioner haveing given him noe cause soe to doe. And your petitioner further sheweth that, on the 30th of June last, Robert Conway, Quarter-Master of the said troop, without any order from the Mayor of Coleraine, where the said troop lyes, ordered two of the troopers to quarter upon your petitioner, and about eleaven or twelve of the clock that night, hee, the said Quarter-Master, with six or eight more of his men, came and broke open your petitioner's doores, and entred his house, and turned a poore sicke woman out of her bed, who hath been sick this halfe yeare and more, without any regard to her condition, though shee is likelier to dye than to live, and ordered other of his troopers to guard the two troopers that hee had quartered on your petitioner, where they ranted, drunke, and swore, leaped and danced all that night. And further sheweth that those two who pretend to bee quartered on your petitioner, with the rest of their fellow troopers who come dayly to your petitioner's house, yet keep it as an ale-house, with drinking and pipeing, so that your petitioner cannot have the liberty of his owne house for himselfe and his family. May it therefore please your Excellencie to grant to your petitioner your Excellencie's order to take such legall course against the said Lieutenant Thomas Conway and Robert Conway, Quarter-Master, Thomas Masden, John Coe, William Hartley, and John Metcalfe, as the law hath provided for the punishing such unlawfull actions soe violently committed by the above said officers and souldiers; and also to grant your Excellencie's order to the Mayor of Coleraine to examine the truth of these particulars, and to take such course as in your wisdom may seem fitting for the security of your

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petitioner and his family, and that your petitioner may have the liberty of his owne house. And your petitioner shall ever pray, etc.

"Dublin Castle, the 6th of July 1669.—The persons against whom the petitioner doth by this petition complaine, and every of them, are heereby required, within eight dayes after sight or notice heereof, personally to appeare before us in the gallery of this Castle to answere the said petition. At which time and place the petitioner by himselfe or his agent or attorney is likewise to appeare, to the end that, upon hearing what shall bee offred and appeare on all sides, concerning the miscarriages by the petitioner alleged, wee may give such further order as shall appeare to bee fitt.—OSSORY."

Thomas Coote, Colonel.—Removal of check placed upon his pay during absence in Dublin in connexion with the passing of his patent.—5 July 1669.

James Harwood, formerly of the troop of the Duke of Albemarle.—Ten months' arrears.—5 July 1669.

Sir Oliver St. George, Knight and Baronet.—Payment of arrears due to Christopher Mathews.—6 July 1669.

George Richardson, of Drogheda.—"That your petitioner, being a private inhabitant of the said towne, was notwithstanding appointed by the Sheriffes to provide quarter for Sir William Fitzgerrald, Lieutenant of the Earl of Drogheda's troop; which though hee humbly conceives they ought not to have done, yet your petitioner did provide a convenient chamber furnished for his quarter, which the said Sir William, because of his being in the country, having noe occasion to make use of the same, refused it, and would (after your petitioner was at considerable charges to provide a convenient quarter for him) have money for the same; which your petitioner refuseing to give, the said Sir William sent a Corporall and some troopers, and violently entring into your petitioner's house, to the affrighting his wife and family, did take away five pewter dishes to the value of £5 sterling, which hee still detaineth, contrary to law and justice, as your petitioner humbly conceives. May it therefore please your Excellencie to grant your order, requiringe the said Sir William Fitzgerrald to restore unto your petitioner his said goods. And, etc.

"Dublin Castle, the 9th of July 1669.—Sir William Fitzgerald within named is heereby required forthwith to restore to the petitioner his goods taken from him in manner as by this petition is set forth, and also, within foure dayes after sight or notice heereof, to answere the miscarriage by the said petition laid to his charge.—OSSORY."

William Dormor, Lieutenant.—Removal of checks on pay, and restoration to Colonel Dillon's troop.—22 June 1669.

Richard Thomlinson and William Williams, formerly of Lord Berkeley's troop.—Ten months' arrears.—17 July 1669.

William Brooke, formerly of Lord Aungier's troop.—Like petition.—7 July 1669.

William Freind, formerly of Lord Colooney's troop.—Like petition.—9 July 1669.

Thomas Makes, formerly sergeant in the company of the Duke of Ormonde.—Like petition.—10 July 1669.

Stephen Sanders and Edward Hillton, formerly of Sir William Meredith's troop.—Like petition.—12 July 1669.



John Kirkham, formerly of Sir Oliver St. George's troop.—Like petition.—12 July 1669.

Mark Welsh, convicted of robbery.—Praying to be admitted to bail, pending application for pardon.—14 July 1669.

Christopher Kerduffe, Clerk.—Praying that petitioner and his brother-in-law, Oyner Loyd, may be allowed to proceed against Andrew Sterling for assault, etc., and for preventing petitioner from letting tithes in Meath.—22 July 1669.

Robert Bowyer.<sup>1</sup>—Certificate of the Attorney-General relative to conveyance of petitioner's interest in lands included in the Phoenix Park, Dublin.—27 January 1668–9.

William Ogleby, under sentence of death, in Wicklow gaol, for robbery.—Reprieve, with a view to obtain pardon or commutation of sentence.—24 July 1669.

Francis Eaton, formerly corporal in Colonel Daniel Redman's troop.—Ten months' arrears.—25 February 1668–9.

John Brodwell, formerly in Sir Henry Tichborne's troop.—Like petition.—14 July 1669.

Margaret Harman, relict and administratrix of Edward Harman.—Appointment of an attorney by "the commanded men," to receive money.—24 July 1669.

Thomas Makes.—Ten months' arrears as Sergeant in the company of the Duke of Ormonde; with certificate.—20 July 1669.

Edmond Hackett.—Complaining that petitioner's lands in Meath, on being included in grant to the Duke of Ormonde, were rendered liable to a rent prejudicial to petitioner; and requesting removal of Sir Robert Byron's soldiers, charged with executing an assignment of the rent.—24 July 1669.

George Gibbs, formerly of Captain Bertie's troop.—Ten months' arrears. 25 February 1669.

Walter Athy, Galway, merchant.—Discharge on bail, no proofs having been exhibited in support of the charge against him as to export of wool.—31 July 1669.

Richard Colgan.—Reprieve from execution for robbery, with the view of proving his innocence.—2 August 1669.

Nicholas Darcy, Esq.—"That your petitioner being with the rest of his estate by decree in the late Court of Claymes possessed of the lands of Platin and Cresty in the barony of Dulceke and county of Meath, the quit-rent thereof due to His Majestie hath been and is still respited by order of the Court of Exchequer untill next Michaelmas terme, on a plea entred unto the said charge on his said decree of Innocencie. That the Earle of Anglesey haveing charged the said lands with a patent rent, which is not to reflect on your petitioner, who comes in by Innocencie, and not under the said patent; and thereuppon assignments are issued from the Receipt Office for payment of £49 4s. 6d. out of the said lands unto Sir Theophilus Jones his troop, and now five of the horsemen are lying on the tenants of your petitioner for the said patent rent contracted by the said Earle of Anglesey, which your petitioner is informed by his Councill is an oppression not warranted by the law of the land. The premisses considered, your petitioner humbly prayeth your Excellencie's order to remove the said horsemen from your petitioner's said lands and

<sup>1</sup> See p. 60.

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tenants, and that the Treasury may provide otherwise for the said troop. And your petitioner, etc.

“Dublin Castle, the 30th of July 1669.—It not being lawfull to lay souldiers on any persons, to force them to pay any rent or other moneys due to his Majestie, uppon any assignments out of his Majestie's Court of Exchequer, wee require the souldiers within mentioned forthwith to draw off from the petitioner and his tenants, and immediately to appeare before us and shew by what authority and order they are layd uppon them for the matter in this petition mentioned.—OSSORY.”

Samuel Hill.—Referring to former order to several officers, etc. of Sir George Rawdon's troop to answer petitioner's complaint ; and request to be exempted from quartering any but the soldiers named.—3 August 1669.

John Jubbs, of Lord Berkeley's troop.—Removal of check from pay ; with certificate.—4 August 1669.

John Witherington, formerly of the Lord Deputy's troop.—Ten months' arrears.—5 August 1669.

Thomas Cuffe, Captain.—Removal of check from pay of soldier in the company of the Earl of Mountrath, enlisted in lieu of one who had died in the Isle of Arran ; with certificate.—5 August 1669.

Francis Rolleston, Lieutenant to Sir Daniel Treswell.—Praying that the checked pay of soldiers who were discharged may be transmitted to petitioner for payment ; with certificate.—4 August 1669.

Robert Reading and Christopher Lovett.—Recovery of debts.

John Foster,<sup>1</sup> “a condemned prisoner at Catherlogh.”—“That a mare beeing stolne by a person now prisoner in Cavan, your petitioner bought the same of him in the county of Catherlogh, where hee lived neere his wife's relations, who haveing a great antipathy against him by reason of a breach between him and her (uppon which shee runn away and left him six small children) occasioned their prosecution of your petitioner, alledgeing his stealing the said mare, which hee avowing to have in custody, though innocent of the fact, which can bee made appeare by a letter from Sir Francis Hamilton to Esquire Bulkeley, from one of whose tenants the said mare was stolne. That the said person in Cavan gaole confest the stealing of her and selling her to your petitioner, which letter your petitioner pleaded, but Esquire Bulkeley not being present at the Assizes, nor haveing sent the letter, the Judges past sentence for your petitioner's execution on Thursday next, being the 12th of this instant August. And for as much as your petitioner's innocencie can be made appeare, not only by the said letter, but by the Lord Aungier, in a short time, if your Excellencie will be mercifully pleased to grant him some space to that end, hee most humbly beseecheth your Excellencie to grant him a reprieve for a moneth's space ; or such other time as your Excellencie shall thinke fitt, to inable him to make out his aforesaid allegations. And hee, etc.

“Dublin Castle, the 10th of August 1669.—The Judges of Assize, before whom the petitioner was tryed, are to certify us how the matter for which hee stands convicted did appeare uppon his tryall, together with their opinion whether they conceive him to bee an object of his Majestie's mercy. And, to the end there may bee reasonable time to sollicite the report of the said Judges therein, wee are pleased that the

<sup>1</sup> See p. 105.

execution of the petitioner bee respited for the space of twenty dayes from this day, whereof all his Majestie's officers and others whom it may concerne are to take notice.—OSSORY.”

Sir Nicholas Armorer, Knight, Deputy-Governor of Duncannon.<sup>1</sup>—“That, by a clause in the Act of Settlement for Ireland and the Act of Explanation thereof, there is granted the yearly value of £300 in lands, as a maintenance for his Majestie's Fort of Duncannon, which lands are accordingly by letters patent settled upon the said Fort. That his Majestie hath been pleased by his letter to settle on your petitioner, as his fee out of the said £300 per annum, 10 shillings per diem, which amounts to £182 10s. Then there remains £117 10s. to bee disbursed on the said Fort. For such disbursements from time to time, as occasion shall require, your petitioner prayeth hee may have a standing order from your Excellencie for disbursing the said remainder on the necessary repayres of the said Fort, and to bee accomptable for them to the trustees appointed for the said lands as often and in such manner as they shall require. And your petitioner, etc.

“Dublin Castle, the 10th of August 1669.—Wee are pleased that, according to the petitioner's request, hee may disburse the one hundred and seventeen pounds and ten shillings in this petition mentioned, in and about the necessary reparations of his Majestie's Forte at Duncannon from time to time, and that hee bee accomptable for the same to the trustees within mentioned.—OSSORY.”

George Cullen, sentenced to death for horse-stealing.—Praying for pardon or transportation to America.—7 August 1669.

Richard Warde, distiller.—Recovery of debt from Constantine Raven of the troop of the Earl of Drogheda.—12 August 1669.

Stephen Sly.—Recovery of debt from Robert Warren, of the Earl of Anglesey's troop.—13 August 1669.

Mrs. Sarah Wilson.—Permission to proceed against John Anderson, a soldier under the command of Colonel Willoughby, for seduction.—13 August 1669.

John Benson.—Recovery of debts from soldiers.—16 August 1669.

Nathaniel Philpott.—Recovery of debt from Edward Trevor, of Lord Duncannon's troop.—21 August 1669.

Robert Blackmore, prisoner in Longford gaol.—Pardon, in forma pauperis; with certificate.—24 August 1669.

William Potter.—“That your petitioner did pay £20 to Sir Daniel Treswell for his admittance into his Majestie's guard of Battleaxes, and for seven yeares diligently performed his duty without any neglect. That, through the advance of the said £20, and that his pay is in arreare, and moneys owing to him from severall of the army, hee remains indebted to others. That, uppon Sir Daniel's report to your Excellencie (on the petition of one Mathew Cole for a debt) therein alledgeing that your petitioner was a loose liver, and to bee turned out of the said guard for an example, your Excellencie was pleased to give order for his dismisie. And your petitioner, beeing thereuppon dismiss, is with his family like to bee utterly ruined. That your petitioner hath agreed with the said Cole and intends, as hee is able to cleere the rest of his debts, hath been and still is of honest conversation paying taxes, etc., and is not a loose liver, but of good repute in the citie of Dublin, as

<sup>1</sup> In county of Wexford.

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by the annexed certifficate <sup>1</sup> appeares, your petitioner humbly prays that your Excellencie will bee pleased to order his readmittance and continuance in the said guard ; otherwise, that hee may bee repaid his said £20 and the arreares of his pay, and then hee shall bee in a capacity to pay his debts ; or to referr your petitioner to bee tryed at a Court Marshall, if hee have committed any thing worthy. And hee, etc.

"Dublin Castle, the 23 of August 1669.—If the petitioner conceive hee have cause of suit against Sir Daniel Treswell for the money within mentioned, wee leave him at liberty to take his legall remedy against the said Sir Daniel, notwithstanding his military capacity ; and for such arreares of intertainment as remayne due to the petitioner at the time when hee was dismissed out of the guard of halbertiers, hee is to expect payment thereof with the rest of the said guard when they shall bee payd for the time in which the petitioner served.—OSSORY."

Nicholas Darby.—Recovery of amount due by James Henderson, tailor of the Guard of Horse.—25 August 1669.

"The petition of the two Choyres of Christ Church, and of St. Patrick's, Dublin."—"That severall rectories and impropriations returned by the respective Archbishops and Bishoppes to the Counsell Board, in obedience to the order thereof, have been passed into patent in the name of his Grace the Lord Archbishop of Dublin, Dr. John Parry and Dr. Thomas Seele, Deanes of the said churches, and their successors for the use aforesaid. That these impropriations following, viz., two-third parts of the tithes of Timolin, in the county of Kildare," etc.—See p. 69.

"May it therefore please your Excellencie to grant your warrant that the said impropriations and rectories above mentioned (all or most of which are already in the possession of your petitioners) may bee passed into patent in the name of his Grace the Lord Archbishop of Dublin, etc., and his successors for the time being, and in the name of Dr. John Parry and Dr. Thomas Seele, Deanes of the two Cathedralls of the Holy Trinity and of St. Patrick's, Dublin, and their respective successors for the time being, for the use of the said two Choyres, according to his Majestie's and his Lord Lieutenant's and Counsell's intention in that behalfe, they paying such rents, reservations, and dues out of the said rectories to his Majestie as is formerly due out of the same, together with a fifth part more by way of augmentation or increase of rent, according to a late act of Counsell in that behalfe.—OSSORY.

"Choyres of Christ Church and St. Patrick's [Dublin].—Wee require his Majestie's Attorney and Solicitor-Generall, or either of them, forthwith to draw up a fiant, in due forme of law, contayning a grant from his Majestie his heires and successors to such purpose, to such persons, and of such impropriations and rectories, as are named in the annexed petition of the two Choyres of Christ Church and St. Patrick's, Dublin according to the tenor and effect of the Act of Parliament directing the same to bee done, and of the annexed order of the late Lord Lieutenant and the Counsell of this kingdome given the 21st day of February 1667[-8], in pursuance of the said Act of Parliament, inserting in the said fiant all such reservations and other clauses as by the said Act of Parliament and order of Counsell are required, and all such other clauses as in cases in like nature are usuall, and the same, fairly ingrossed in parchment under the hand of the said Attorney and Solicitor-Generall, or under the hand of either of them, to send unto us to bee

<sup>1</sup> Not in the MS.

further passed, as appertaineth, for doing whereof this shall bee a sufficient warrant. Given at his Majestie's Castle of Dublin, the 28th day of August 1669.—[OSSORY.]”

Anthony Marley, Captain.—Payment of arrears due to John Moreton, formerly captain of petitioner's company, to be applied to liquidation of debt.—30 August 1669.

Edward Brabazon, Captain.—New warrant for pardon; with certificate.—1 September 1669.

Henry Howard, Captain.—Arrears as commander of a foot company at Limerick; with certificate.—28 August 1669.

Sir Oliver St. George.—Benefit of muster for himself and servants during absence.—12 July 1669.

John Foster, “a prisoner at Catherlogh.”—“May it please your Excellency: In obedience to two severall orders, made on the petition of one John Foster, the first,<sup>1</sup> dated the 10th of August last, directed to the Judges of Assize, before whom the petitioner was tryed, to certify how the matter for which the petitioner was convicted did appeare upon his tryall, the second, dated the 30th of August, aforesaid, directed unto myselfe, directing mee to certify unto your Excellency how the matter for which the petitioner stands convicted did appeare; I humbly certify to your Excellency that the first reference came not to the hands of the Judges to whom it was directed, nor did I see the second order till of late. But the matter containd in both the said petitions was that the petitioner was charged for stealing a mare of the goods of one Richard Jackson, and it was proved that hee was seene the night before neare the lands where the mare did grase, and that the mare was in his custody, which (to the best of my remembrance) hee did acknowledge, but alleaged that hee had bought the mare of one Nixon, who hee said was in the gaole of Cavan, and that Sir Francis Hamilton, Knight, had signified so much to Richard Bulkely, Esquire, one of his Majestie's Justices of the Peace for the county of Wicklow. But Mr. Bulkeley not being present at the tryall, nor sending the letter to make good the petitioner's allegations, hee not proving the buying of the mare from Nixon, the jury found him guilty and thereupon judgement of death was given against him, after which I had noted that Sir Francis Hamilton did write such a letter to Mr. Richard Bulkely. This being all which I remember that appeared upon the petitioner's tryall, I humbly offer it to your Excellencie that the petitioner bee reprimed for some reasonable time, to the end that Sir Francis Hamilton bee consulted whether Nixon made any such confession to him, and till Nixon also bee examined whether hee did not sell the said mare to the petitioner; and if hee confesse the selling the mare to the petitioner, that then the petitioner bee reprimed untill the next assizes bee past, at which it may appeare whether the petitioner be guilty of stealing the said mare. All which I humbly certify and submit to your Excellencie's more serious consideration, this 8th day of September 1669.—JOHN BYSSE.

“Dublin Castle, the 9th of September 1669.—Upon consideration of the within certificate of our very good Lord, the Lord Chiefe Baron of his Majestie's Court of Exchequer, wee are pleased for the present heereby to order that the execution of the petitioner be respited for three moneths more from the date heereof, to the end in the said certificate mentioned, whereof the Sheriffe of the county of Catherlogh is to take notice, and to respite his execution accordingly.—OSSORY.”

<sup>1</sup> See p. 102.

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Laughlen O'Hanlan, "prisoner at Dundalke."—"That your poore petitioner, at the last Assizes held at Dundalke for the county of Louth, was found guilty of the stealing of a horse of the goods of one Patrick McGuerke, and thereupon judgement of death awarded against him. That your petitioner being but under 18 yeares old, and it appearing to the then Judges that it was his first fault, and inticed thereunto by evill persons they were pleased to reprove the petitioner for a moneth, which time is neere expired. Now forasmuch as your petitioner is young and hath committed noe crime before, and is willing to doe his Majestie's service, and resolved to become a new man, may it please your Excellencie to grant him his Majestie's gracious pardon for the said cryme. And hee, etc.

"Dublin Castle, the 7th September. 1669.—The Judges before whom the petitioner was tryed are to certify us how the matter for which hee stands convicted did appeare upon his tryall, together with their opinion whether they conceive him to bee an object of his Majestie's mercy.—OSSORY.

"May it please your Excellencie: The petitioner being indicted before us, at the last Assizes held for the county of Lowth, for stealing a horse of the goods of Patrick McGuerke, the 10th of July last, upon his tryall and plaine evidence hee was found guilty, and thereupon received sentence of death, and warrant issued to the Sheriff for putting the same in execution. But, upon the great importunity used in the behalfe of the petitioner for deferring execution for some small space, wee did direct the said Sheriffe to forbear the execution for about three weeks or a moneth. And as touching the other allegations in the petition mentioned, nothing did appeare to us, save only that it did not appeare that the petitioner had been formerly charged with any cryme of that nature. All which is humbly submitted this 9th of September, 1669.—J. POVEY.

"Dublin Castle, the 10th of September 1669.—Upon consideration of the foregoing certifiacte of Mr. Baron Povey, one of the Judges before whom the petitioner Laughlin O'Hanlan received his tryall, wee are pleased to extend his Majestie's mercy unto the said petitioner for the fact in the said certifiacte mentioned. And wee doe heereby require his Majestie's Attorney and Solicitor-Generall, or either of them, to draw up a fiant in due form of law, contayning his Majestie's gracious pardon to the petitioner for the said fact and all forfeitures, paynes and penaltyes thereby incurred, inserting in the said fiant all such clauses as in like cases are usual, and the same, fairly ingrossed in parchment under their or one of their hands, to send unto us to be further passed as appertaineth. For doing whereof this shall bee a sufficient warrant.—OSSORY."

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MANUSCRIPTS OF THE RIGHT HONORABLE THE EARL  
OF FINGALL, KILLEEN CASTLE, IRELAND. BY  
JOHN T. GILBERT.

MSS. OF  
THE EARL OF  
FINGALL.

THE principal manuscript in this collection, on which some remarks have been made in the Tenth Report of the Commission, bears the following title, now partly obliterated :—

“ A Light  
to  
the Blind ;  
Whereby they may see  
The . . . Dethronement  
of  
J[ames] the Second, King of England :  
With  
[A br]ief Narrative of his warr  
in Ireland :  
and of the warr [between] the Emperor  
and the King of [France]  
for  
The Crown of Spain.

Anno 1711.”

This work is the production of an earnest advocate of the Stuart cause, and of the rights of the Roman Catholics in Great Britain and Ireland. It is divided into three “ books,” the first and second of which, consisting of upwards of 900 pages of small quarto paper, are bound together and lettered, “ Plunket’s Irish Hist[ory], Vol. 1.” The last page of book 2 in this volume is marked 978. Book 3 forms the first portion of a second volume bound uniformly with Vol. 1. Its initial page is numbered 741 and the final one is marked 1,533. The paper on which the third book is written is somewhat larger and thinner than that in the preceding volume. The writing appears to be in the same hand throughout the entire, and is large but not elaborate. In book 2, chapters 6, 7, 8, and 9 are erroneously numbered in the manuscript as 13, 14, 15, and 16. The page following 724 in the same book is, by mistake, numbered 745, and from the latter the erroneous numeration is continued to the end of the first volume. A reproduction of a page of the second book, containing portion of the account of the battle of Aughrim in 1691, appears in the “ Facsimiles of National Manuscripts of Ireland,” Part IV. 2, plate xcvi., published in 1884. In the third book, some passages have been struck out and partly obliterated apparently by the author or a contemporary. The objects and views of the author are to some extent expressed in the preface and in the initial chapter, both of which will be found in our Appendix, Nos. I. and II. The first “ book ” is composed of nine chapters, divided as follow, in the manuscript :—

Chapter.			Sections.			Pages of the MS.
1	-	-	1 to 4	-	-	1 to 4.
2	-	-	1 „ 8	-	-	4 „ 16.
3	-	-	1 „ 7	-	-	16 „ 32.
4	-	-	1 „ 5	-	-	32 „ 38.
5	-	-	1 „ 7	-	-	38 „ 45.
6	-	-	1 „ 59	-	-	45 „ 109.
7	-	-	1 „ 9	-	-	109 „ 117.
8	-	-	1 „ 48	-	-	117 „ 189.
9	-	-	1 „ 52	-	-	189 „ 270.

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THE EARL OF  
FINGALL.

The second, third, fourth, and fifth chapters of the first book are occupied with a dissertation on the oppressions which the Roman Catholics in England and Ireland suffered under Henry VIII., Edward VI., Elizabeth, and James I. In chapters 6, 7, and 8 the author writes of the public affairs of England and Ireland in the times of Charles I., the Parliament, the Irish Confederation,<sup>1</sup> and the Cromwellians. The treatment of the Irish after the Restoration forms the subject of the ninth chapter, which concludes with the death of Charles II.

The second "book" is divided as follows:—

Chapter.		Sections.		Pages of the MS.
1	-	1 to	57	271 to 333.
2	-	1	„ 50	334 „ 391.
3	-	1	„ 39	391 „ 451.
4	-	1 to	28	451 to 487.
5	-	1	„ 60	487 „ 575.
[6]	-	1	„ 65	575 „ 659.
[7]	-	1	„ 116	659 „ 830.
[8]	-	1	„ 52	830 „ 882.
[9]	-	1	„ 80	882 „ 978.

The following is a brief synopsis of the subjects treated of in the preceding chapters, which constitute the second part of the work.

Chapter 1.—Account of James II., before and after his accession to the crown to the period of the acquittal of the seven bishops.—Dissertation on the changes of religion in England from the time of Henry VIII.

Chapter 2.—Movements in England and Holland against James II.—Birth of Prince of Wales.—Departure of the Queen; flight of the King and his arrival in France.

Chapter 3.—Proceedings in England after withdrawal of James II.—Discourse on his public acts and dethronement. See Appendix III.

Chapter 4.—Relations between James II. and the Irish people. See Appendix IV.—Movements in Ulster.—Arrival of James II. in Ireland in March, 1688–9.

Chapter 5.—Acts of James II. in Ireland.—His object, "to regain England, his principal kingdom, by the assistance of his Irish Catholic subjects."—Condition of inhabitants of Ireland.—Considerations on Act for settlement of Ireland under Charles II.—Siege of Londonderry, 1689.—Parliament at Dublin.—Proceedings in Ulster.

Chapter [6].—Campaign 1689–90 in Ireland.—Arrival there of William III.—Battle at the Boyne.—Siege of Limerick.—Return of William III. to England.—Departure of Tyrconnell to France.—Operations in Munster. See Appendix, Nos. V., VI., VII.—Continental transactions.

Chapter [7].—1691: Account "of the third and last year of the Irish war, which the Catholic people of that kingdom had undertaken for to vindicate the King's rights against the rebellion of England."—Return of Duke of Tyrconnell and his associates from France to Ireland.—Withdrawal of Duke of Berwick from Ireland.—Arrival of General St. Ruth at Limerick.—Military operations of Ginkell and St. Ruth.—Opposition

<sup>1</sup> At page 180, the author observes:—"It is not my province here to relate the Irish warr of those tymes [1641–1649], but to shew the loyalty of the Catholic subjects of Ireland, and therefore I shall be brief in my narrative upon this subject."



to Tyrconnell.—Siege and capture of Athlone.—Battle of Aughrim.—Siege of Limerick.—Death of Tyrconnell.—Notice of his career.—Capitulation at Limerick.—Observations on the treaty.—Departure of the Irish army to France. See Appendix, Nos. VIII., IX., X., XI., XII., XIII.

Chapter [8].—Affairs in Ireland and France, 1692–3.—The transactions of 1694–5 are passed over, and the author proceeds with account of affairs on the Continent from 1696 to the Peace of Ryswick, 1697.

Chapter [9].—Relations between James II., Louis XIV., and William III.—Acts of William III. in England.—Projects for restoration of James II.—Enactment of penal laws against Roman Catholic ecclesiastics and adherents of James II.—Affairs in England and Ireland.—Legislation against Irish woollen manufacture.—Resumption of grants of forfeited estates in Ireland.—Movements of William III.—Continental transactions.—Account of last days and death of James II., in September 1701.—Conclusion of book 2. See Appendix XIV.

The third “book” treats mainly of Continental affairs, and consists of twelve chapters in chronological sequence, as follow :—

A.D.	Chapters.	Sections.	Pages of the MS.
1701–2	- 1	- 1 to 56	- 741 to 823.
1703	- 2	- 1 „ 67	824 „ 890.
1704	- 3	- 1 „ 85	890 „ 959.
1705	- [4]	- 1 „ 78	959 „ 1056.
1706	- 5	- 1 „ 31	- 1056 „ 1164.
1707	- 6	- 1 „ 27	- 1164 „ 1218.
1708	- 7	- 1 „ 18	- 1218 „ 1291.
1709	- 8	- 1 „ 10	- 1291 „ 1337.
1710	- 9	- 1 „ 13	- 1337 „ 1436.
1711	- 10	- 1 „ 13	- 1437 „ 1498.
1712	- 11	- 1 „ 7	- 1498 „ 1531.
1713	- 12	- 1 „ —	- 1531 „ 1533.

The first chapter, so far as its twenty-first section, will be found in our Appendix, Nos. XV., XVI., XVII., and XVIII. In these are comprised the author's account of affairs immediately subsequent to the death of James II., the defence of Cremona, in which Irish regiments had a principal part in 1702, the death of William III., and the accession of Queen Anne. The subsequent eleven chapters of book 3, devoted chiefly to foreign transactions, contain occasional notices, generally brief, of affairs in England and Ireland. At the close of the ninth chapter, under the year 1710, the author writes as follows :

“Here we end our History thò the warr is not ended. Our reason is, because from the beginning we resolv'd to proceed no farther in our relations than we could see the banish'd King of England [James Edward Francis Stuart] to be in a fayr way of being soon restor'd to his throne, which at present we observe thro' a settled designe of a powerful party in England and Scotland, and thro' the concurrence the most Christian King [of France], who is become able to contribute thereunto by the success of his arms and of his grandson's<sup>1</sup> this campagne in Spain, thro' his exorbitant preparation of men and money for the next, and thro' the extraordinary alacrity of the French and Spanish subjects for carrying on the warr. And now that we have done, we will present a few words of love and respect to this young monarch who is going to rule

<sup>1</sup> Philip V., King of Spain.

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nations that stand in need of a just ruler: Sir, you know that the end of government is the happiness of the people. This happiness cannot be obtain'd unless every one enjoys his rights. That everyone may enjoy his rights it is your charge to see. If this charge be neglected, you obstruct the end of government, which Heaven never passes unreveng'd. Here, therefore, your nicest ponderation ought to be employ'd, and in the virtue thereof you will rowl your eye around your kingdoms and where you will see justice oppress'd, let noe human consideration hinder you from giving relief. That you may better perform this divine task, consult in the beginning the Priest of the living God, who will dare tell you truth, while worldly courtiers are apt for lucre to flatter you to your destruction. But to enable you to do the office of a king in general, retain allwayes such sufficient troops as you may confide in. Otherwise you are a lost Prince, as the great confessor your royal father was. You have learnt from his experience how to choose your men, who, certainly, will be Roman Catholicks, and such Protestants as have constantly remain'd stanch in their loyalty, commonly call'd Jacobits. On others there is no depending, thò they should have contribut'd to your Restoration; yett lett them enjoy what you have promis'd unto them, provided it be just in itself or be not to the wrong of a third person. And so may the Almighty God keep you in his holy protection to his greater honour and glory."

The next chapter, which is the tenth, opens as follows:

"The ould sayeing comes now home to us: Man proposes but God disposes. The leading men of the Episcopal Protestants in England fixt so their resolution the last year for bringing home out of France King James the third that they doubted not of its being perform'd in this year 1711. That was the onely reason why we ended our History with the last campagne, as we mentioned above. But Providence hath thought it fitt to putt off for a while that happy return of a Prince, who with the last zeal is desir'd by suffering nations; yett this delay, we can truly say, is for the best, as we shall observe beneath. In the interim we will continue our History for a campagne or two more, and shall begin the new year 1711 with our usual narrative of what principal matters have happened therein thròut Europe, thò we may say that there has been noe military action in the western part thereof worth recording; so idle have armyes been on all sides, thò the expense hath prov'd the same as in every year. But whether this idleness be the effect of wisdom in their princes and councils, we will leave it to the discussion of others who have more leisure to examin that conduct which is so grievous to their subjects, that thence we must judge they have noe compassion of their suffering people, because they do not minde to finish the warr speedily by a vigorous military effort or by a pacifick treaty; they are so carried on by ambition and covetousness. It were pittie to be under such sovereigns, but that subjects must bear the government of those who are appointed their rulers by birth or election."

Among the subjects treated of in this chapter are the movements for the "re-inthronement" of "James III.," and his determined adhesion to the Roman Catholic religion. In the eleventh chapter, under the year 1712, the author, among other matters, deplores the death of the Princess Marie Louise Stuart, daughter of James II., and notices the acts of Ormonde, Prince Eugene, Marshal Villars and Marlborough, and the arrangements for the peace between England, France, and Spain to be signed at Utrecht. The twelfth chapter, with which the work concludes, is given in No. XIX. of our Appendix.

The manuscript of the "Light to the Blind" affords no information relative to its author or his name, which has been assumed to have been

Plunket, as in the old lettering on the binding, already mentioned. The Plunkets or Plunketts, it may be observed, ranked among the most important of the Anglo-Irish Catholic adherents of Charles I. and his family. The chief houses of the Plunketts were those of which the heads were the Earl of Fingall, the Barons of Dunsany and Louth, and from them there were many important off-shoots. Peter Plunkett, fourth Earl of Fingall, was only eight years of age at the accession of James II. in 1685. Christopher Plunkett, Lord Dunsany, served as a captain in a cavalry regiment for James II. Four captains, three lieutenants, and three ensigns of the name of Plunkett were included in the infantry regiment levied for the same king by Oliver Plunkett, Lord Louth. In the "Light to the Blind" are incidentally mentioned Sir Nicholas Plunkett, Member of the Supreme Council of the Irish Confederation, 1642; Margaret Plunkett, Dowager Countess of Fingall, one of the witnesses to the birth of Prince James Edward Francis Stuart; Walter Plunkett, a Commissioner of the Mint at Dublin for James II.; Richard and Christopher Plunkett of the regiment of Lord Louth; and Brigadier Patrick Plunkett, described as "a very experienced officer of foreign education," who served in Limerick during the siege in 1691.

The Gallicisms in the "Light to the Blind" indicate the Continental associations of the author.

The first references in print to the "Light to the Blind" appear to have been two brief and inaccurate extracts in Vol. I. of a "History of Dublin," published in 1818, by Warburton, Whitelaw, and Walsh. The manuscript of the "Light to the Blind" was subsequently lent by the Earl of Fingall to Sir James Mackintosh, whose pencil markings on it indicate the passages which he selected for transcription.<sup>1</sup>

The late Sir William Wilde in 1859 submitted a notice of the "Light to the Blind" to the Royal Irish Academy, Dublin. This communication was not printed, but a brief abstract of it was given in a Dublin newspaper of the time. In this, the following passages appear in a letter addressed in June 1859, by the Earl of Fingall to Sir William Wilde, in relation to the manuscript of the "Light to the Blind":

"It is evident that the author was an enthusiastic and devoted admirer of King James, and very probably a follower of his fortunes. As to your inquiry respecting the traditions of this manuscript in our family, I am sorry I can give you very little information. I can remember in my father's time it was looked upon as a valuable and curious work, and shown as such in the library [at Killeen Castle]. I have always heard that it was written by a Nicholas Plunkett,<sup>2</sup> an eminent lawyer of the time, but of what precise branch of that family or how it came into the possession of this house, I do not know."

The author may have been connected with Plunket, who, under the pseudonym of "John Rogers," acted in 1713-14 as a diligent secret agent in England and on the Continent in the interests of James Edward Francis Stuart, with whose secretary, David Nairne, he maintained communications in relation to the projected return of that Prince to England as King James III. In one of these despatches in 1713, Plunket mentioned that he had been educated for some years in Germany, and in another he referred to his intercourse with Lord Fingall, whom he described as "no man of great parts, but most zealously honest" to "James III."

<sup>1</sup> See History of England, by T. B. Macaulay. London: 1855, Vol. III., pp. 145, 153, 173.

<sup>2</sup> An account of a MS. ascribed to Nicholas Plunket, relative to the affairs of Ireland in 1641 and subsequent years, will be found in the Appendix to the Second Report of this Commission, 1871, p. 227.

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Appended to the third and last "book" of the "Light to the Blind," and nearly all in the same handwriting with it, are several anonymous short pieces, ranging in date from 1696 to the close of the reign of Queen Anne, in relation to James II., the condition of the Roman Catholics of Ireland, and the expected reception of "James III." in England. A catalogue of these productions, in which the extent of each is noted, will be found in our Appendix, together with extracts from two of them in verse on the death of James II.

The manuscript of the "Light to the Blind" is in fair condition, with the exception of the title and a few pages which are somewhat soiled. The extracts appended to the present Report are now printed for the first time. They exhibit the style of the work as well as the character of the details which it supplies in relation to Ireland, and to the affairs of the Stuarts and their adherents.

## APPENDIX.

### I.

#### "THE PREFACE."

"Stop here, Reader, to know my method in this treatis. I sett down in the first book the religious origin, and the behaviour of the people, who have dethroned their King under pretence of misgoverning, before I treate in the second book of the life of James the Second: to this end chiefly, that the world may see whether the said people may be worthy of belief in their allegations against that Majesty. I have noe rancour in my writeing, tho' I may seem sharp in my expressions now and then, as the subject requires. My aym in this work is to do good to both sides, viz., to procure temporal comfort to one, because it is their due: and to show unto the other the way of obtaineing a lasting happiness, of which they are wide not onely thro' want of religion, but also of doeing justice. Justice every man must do for salvation, tho' he should have the true way of worshiping God. Render to all men their due: to whom tribut, tribute: to whom custom, custom: to whom fear, fear; to whom honour, honour.<sup>1</sup> If your justice be not greater than that of the Scribes and Pharisees, you shall not enter into the kingdom of Heaven.<sup>2</sup> Reflect on the satisfaction Zachæus gave, in case he had defrauded any.<sup>3</sup> Remember what punishment was inflicted by God on Queen Jesabel in particular; and also on King Achab, for the injustice they had don to Naboth, as you may read in the third book of Kings, chapter[s] 21 and 22. Wherefore I begg of the injurious party to peruse attentively this volume for their own substantial good: and to be perswaded beforehand, that whatsoever is sinful by the law of nature as theft, robbery, usurpation, and other such crimes, cannot be rendred lawful by any human law, and if we be guilty of any the like transgressions we are bound, inasmuch as it lyes in our power, to make satisfaction to the party grieved, upon the penalty of damnation, which to avoyd, a wise man will choosse to live and dye here in poverty, rather than to incur it by the injust enjoyment of a kingly grandeur."

### II.

#### "LIBER I.—CHAPTER 1."

p. 1.

"1. A debt, I owe to justice in vindicating the injured, and a compassion to the injurers in showing their unhappy state, are the motives of my

<sup>1</sup> Romans, xiii. 7.

<sup>2</sup> Matthew, v. 20.

<sup>3</sup> Luke, xix.

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undertaking here to give a plain and familiar discourse: whereby I shall endeavour to rectify misintelligences, which have from tyme to tyme brought dismal destructions on the English monarchy. If my efforts succeed, I have gained a great reward in the comfort of haveing contributed to the doing of so much good. If they prove otherwise, I have enough for my labour, in letting friends and foes understand my amicable intentions for a reconciliation between them, to the substantial emolument of both parties.

"2. But my carriere is allready stopt by an objection, which sayes: my slender endeavour must needs miscarry, since many an able pen have not prevayled. For the mistake of England is not in the understanding, which hath been convinced, but in the will, which still refuses to follow the fate of the intellect, tho' she is obliged to follow it. I must confess, this is a sufficient cause of my despayr: and the more because it is the case of other nations, that have been struck blind with the blindness of the mind. With such the doing of wonders avayled not to give them sight: which was the grand signe of their reprobation. The instances hereof you may behould in Pharo and in his people of Egypt: who saw prodigious signs don by Moses for proof, that he was sent by God to leade the Israelits out of bondage: yet that prince and his subjects persisted in their evil intentions, until they fatally payed for their perversity. The Jewes likewise were dayly spectators of wonders upon wonders don by our Saviour, to prove, that He was their promised Messias: yett they remained so stupendiously incredulous, that they putt him to death for an impostor, which brought an extirpation upon them, so as to be noe nation. And which augments our admiration and their obstinacy, is, that the scattered members of that Judaical people, have seen for these seaventeen hundred years, the person they had murdered to be adored for God and the Messias by the wisest nations of the world, while they themselves continue slaves to mankind: and yett they maintain stiffly their original error.

"3. The consideration of those precedents should make me refrain from assumeing to convince people of an error, which they have often committed: and do still believe it to be noe faylure; tho' excellent remonstrances of the contrary have been formed. My desire of takeing up this province proceeded from the abuse the people of England gave lately to their own natural King, James the Second, now deceased. In which enterprize my aym was to amend their principles for the future. For it is better late than never: and if this amendment happen not, there can be noe long repose in the kingdom; because the people will be still subject to misinterpret the actions of their princes: and so every King in his turn may suffer.

"4. Notwithstanding this powerful barriere to my undertakeing: yett I am carryed on with an impetuous force to try my luck by common reason, and by matter of fact, in hopes to catch som well meaning persons: but who are lead astray by subtle contrivers of mischief; of whom there is plenty in every King's reign: who begin troubles, purely to aggrandize themselves, tho' they pretend for the good of religion and commonwealth as it hath been found frequently by a woful experience in England dureing these two last ages."

### III.

#### [OBSERVATIONS ON GOVERNMENT OF JAMES II.]

"28. Having proved that the people of England had noe authority vested in them to dethrone James the Second, altho' he had reigned

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like a tyrant : we now will shew, that he was free from the stain of tyranny. I have often admired at the foolish mallice of the English Protestants against this matchless prince. And as often upon reflection have I ceased admiring, by considering, that mallice is a hag purblind, and having her brain covered all with soot, so as she cannot well see, nor rightly understand. Nature sure had formed our Britanick King for a pattern of meekness, humility, and patience. Which is attested by his countenance, by his conversation, by his speech, by his comportment in all changes of fortune ; and by all unbyassed persons, that have had the honour of his acquaintance. Which are qualittes directly opposit to those of a tyrant. He so little delighted in blood, that to his own prejudice he was backward to spill it, when he could lawfully do the thing. Wittness this truth his mild behaviour towards the Protestants of Ireland : the greatest number of whom was actually in arms against his Majesty, when he himself was in that kingdom : and the rest generally were prepared for rebellion upon the first safe opportunity : which they obtained by the battle of Boyn : and so sided with the Prince of Orange. The officers of the Irish Catholick army can avouch for this. Nay, the King was so infatuated (as I may say) with tenderness towards his English-Protestant rebels, that he continued the same feeling for them unto his dyeing day. And then with his parteing breath, he admonished his royal son the Prince of Wales, to take pittty (instead of revenge) on his mislead people, whenever Providence shall place him on the throne of his ancestors.

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“ 29. His government was so sweet and so just, in the judgement of the impartial and of the wise, that the rest of mankind might wish to be under the regency of such a monarch. In a word, his subjects seemed to be generally satisfyd with his administration except Episcopal Protestants. I am sure, the Protestant Dissenters were obliged in the highest gratitude to be contented with such a King, who gave them priviledges, which they neaver had before ; tho’ afterwards they ingratfully abandoned him in the tyme of need, notwithstanding their promises of loyalty sett down in their publick addresses unto him, when they received those franchises. But lett us here discuss the matter, whether his Majesty hath proved unto those Episcopal men, his principal enemies, so tyrannical a governor, as to deserve that last of punishments in being deposed, tho’ we should grant them a power of dethroning their King, when he becomes a real tyrant.

“ 30. A tyrant is he, who regards neither God nor man, law, equity, nor custom : who oppresses the liberty of his people, and violently takes away their propertyes, when his phancy promptes him to it : and sometimes their lives without law : who destroyes their religion upon his bare whimzy : inverts the course of justice : gives all the posts of the commonwealth to profligat men, and to such, as will be instruments unto him in his wicked dessigns : in a word, who swayes for his own onely pleasure ; not careing what becomes of his subjects, but so farr, as they may serve to his privat ends.

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“ 31. Now I would fain know, which in particular of these crimes can Protestants lay to King James the Second’s charge ? or whether can they impeach him of all ; and prove home their impeachment ? I am certain with all moral certainty, and by experimental knowledge, that they will neaver be able to fix the description of a tyrant on that Majesty : unless we believe their naked allegations : which is all they have said hitherto to the point. I have shewed above, what a King our great James was at his accession to the crown : to which I here adde a

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short discourse of his demeanour in the royal government. When he mounted the throne, his Majesty had provocation to shew himself tyrannical to all such Protestants as had been unjustly violent in carrying on the bill of exclusion, alias, in their endeavours to disinherit him of the crown, while his brother Charles the Second reigned : at least he had a legal cause to hold a severe hand over them ; and to barr them from all posts civil and military within the precincts of the British empyre. Yett the goodness of this prince was so vast, that he forgott all, as if he had not been peerelesly injured. He had just cause to mistrust the loyalty of the pretended Reformation of England as to the generality of them ; because he knew by precedent experience that they hated his kingship upon the account of his religion : yett he left the men, as he found them, in their stations civil and military and ecclesiastick. When the rebellion of Argyle in Scotland, and that of Monmouth in England, had risen against his Majesty, because he was a Catholick, and after that those insurrections were ended, the King had sufficient reason not to imploy any Protestant in the army, he was forming for his self-preservation, except such, as he had experimentally found to be unchangeable in their fidelity : yett the candour of his nature was so excessive, as to make him lay aside distinctions of persons : and so to make up the designed forces out of Protestants for the most part. Which was the onely cause of his ruin. For they deserted his Majesty afterwards at the very juncture [when] he thought to secure himself by them against the Prince of Orange. p. 433. p. 434.

“ 32. And to proceed : the King feared the Deity so much, as he sacrificed his crown, life, and all he had in the world at the altar of that holy fear, by not abandoning the faith of God, which he had embraced, before he carryed the scepter. For his Majesty perfectly understood, that heaven was denyed to any one, who should denye his religion, according to that of St. Mathew x., 32 : He that shall deny me before men ; I also will deny him before my Father, who is in heaven. This monarch was not onely a firm maintainer of his faith at all hazards ; but also a strict moral liver from the tyme he came to the crown to his dying day, as the best witnesses of his life can tell.

“ 33. Who in his witts would object unto the King an inversion of the lawes of the land ? For he left the courts of judicature to run their usual course ; not one in his dominions haveing eaver complained that he lost his suite by the King's forcing the law against him. When the seaven Protestant Bishops, contrary to the opinion of all the other Bishops of England, had refused to pay his Majesty a civil obedience in suffering the royal proclamation for liberty of conscience to be read in their respective churches, to the end, that it might be better notified to the people : and when the King had imprisoned them for that misdemeanour, according to justice : yett he permitted them to have the liberty of using the law. Upon which they desired to be tryed at the King's Bench in Westminster : where the jury brought them off not guilty of what they were charged with. Now had the King been a tyrant, he would not have given them them that fayr play : but would have crushed them without the formality of the law. Had he been a tyrant, he would have chopt off the heads of the jurors, who gave their verdict against the King, tho' they should have right (as they had not) on their side. Had he been a tyrant, he would have hanged every rascal of those in London, who had the insolence, as to make bonfires before his face for the escape of the seaven Bishops from justice. No, p. 435. p. 436. no : he was of another judgement. His Majesty bore all those stroakes of refractoriness in the silence of a lamb.

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p. 437. "34. 'Tis true, the King dispenced with those lawes of Elizabeth, which were penal to Catholicks, and to Protestant Dissenters, as we shewed above. But he did it lawfully, because he has that prerogative in his royalty, as we demonstrated before, both by the lawes of England, and by the lawes of forraign monarchyes. For which he had a substantial ground; and that no less than his self preservation, and the common peace of his kingdoms. For tho' we should grant, that Queen Elizabeth had a reasonable motive for disenabling Catholicks to bear imployments civil and military: yett King James the Second a hundred and fifty years after, had noe reason to deale so with them; but on the contrary he found by his personal experience before he came to the crown, and after he came to the crown, that those Protestants in favour of whom the said lawes were made, proved unto him disloyal: and that the Catholicks against whom they were enacted, were the onely subjects he could entirely depend upon for their faithful assistance in the management of his great charge. Thus you see, what is an advantagious law to the prince of the country in one age, becoms destructive to the prince of the said country in another age. And this is one of the reasons, why the power of dispenccing with lawes is inherent in a monarch. Altho' the King had in this manner rendered Catholicks capeable of imployments: yett he gave allmost all the posts of England to Protestants. In return of which graces, they gave him their back in the day of need; and called him a tyrant to boot for his fatherly tenderness.

p. 438. "35. As to the property of his people: whose land, whose gould or silver, whose beast, whose howse did the King take away? He desired money in a parliamentary way from his people at his first instalement on the throne, for to relieve his wants, the Treasury being bare at the death of his predecessor. But the Parliament refused his request: and he took the refusal with a Christian patience, as I hinted above.

p. 439. "36. As to the religion of his people: he did not tyrannize over their consciences, as the Protestant Kings of England have don over the consciences of Roman Catholicks. His Majesty gave to every individual person full liberty to use what worship he pleased: so that noe one had the least apprehension to be punished for his religion throout the Brittish empyre, which was a general jubily to those nations: and which they had not seen, since the pretended Reformation was cruelly enforced upon them. The nature of King James the Second was farr different from that of Queen Elizabeth. He was a lamb, she a tyger. He compelled noe Protestant by fine, imprisonment, forfeiture of estate, or by death to turn Roman Catholick. She by all the said means tyrannically constrained the Catholicks to embrace her phrenzy, and swear her to be (O profane woman!) Vicar of the Saviour of the world in the government of the Church of England. King James made noe law against Protestants, tho' in his own experience he had found them several tymes highly trayterous. Queen Elizabeth, tho' she could object noe disloyalty to the Catholicks; yett she enacted most barbarous statuts against them for onely sticking to the ould Christianity, which had conquered paganism in the land about a thousand years before. Thus to acknowledge the Pope's supremacy in spiritualibus was made treason by that Queen. To refuse sweareing the said Queen to be head or governess of the English church, was a premunire the first tyme: for the second refusal it was treason. To return from a Protestant to the Catholick church, treason. For priests to come into England from forraign countryes, treason. If any priest was made in England since the first year of her reigne, and shall stay in the land forty dayes after the Parliament in the year 1585, treason.

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To harbour a priest was felony and death. If young English students abroad returned not, and abjured the Catholick religion, 'twas treason. To bring into England an Agnus Dei, beades or crosses, was a præmunire. To bring a Bull, or any sentence of excommunication from Rome, which might concern the Queen, 'twas treason. Not to goe to the Protestant church in a month's tyme, for to hear service, it was a penalty of twenty pounds in the 27<sup>th</sup> year of her reign; tho' before that it was but twelve pence every Sunday. And whatsoever Catholick could not pay the twenty pounds, he was to remain in prison for the same. To depart out of England without license, and not to return in six months after the proclamation, was a forfeiture of all goods and lands durement life. To heare mass, was a fine of a hundred marks. If a man's son or servant (not being a merchant) went beyond seas with his consent, he forfeited one hundred pounds. I should be weary to tell you the actual loss of goods and lands: the imprisonments, reproaches, chains, fetters, banishments, and deaths which the Catholicks of England were forced to suffer barely upon the account of their religion by that inhuman woman, who was an usurper both of the crown and of the Catholick church in England. Her detestable life written by Doctor Sanders and others will afford you plenty of her tyrannical actions. But that most hellish usage she gave to that most honourable person, Sir Francis Tregon, (whose body lyes still incorrupt at Lisbon in Portugal) as also to M<sup>r</sup> Rigby, and to M<sup>r</sup> Christopher Watson (the last of them perishing at York in the year 1581 with eighteen persons more thro' the very infection of the prison) shall stand as an everlasting monument of a compleat tyrant. In fine, this Jezabel with bloody force (as Mahomet extirpated the Christians of Asia) so she destroyed the Catholick religion of England, (which had been there planted in the 7<sup>th</sup> age of Christianity in various miracles,) after she had made an end of all the old Bishops of the land in prisons and exile, and murdered the inferiour clergy, and banished them; giving all the ecclesiastick liveings of the kingdom to mock-Bishops of her own, and to her ministers, not to repeat here the ruin she brought upon the church of Ireland. Yett after all those unparralleld barbarietyes, these present blind moles of England can see noe mark of tyranny in her over the original religion of the nation, and over the innumerable professors thereof: and they imagin to have beheld King James the Second a tyrant over Protestants, tho he used noe severity at all towards them. For they themselves have not dared to particularize the actions of his tyranny: onely like fools, children, or madmen, have bawled out in general terms, the King was a tyrant, after they had dethroned him. We have putt them to the test; whether did he did extirpat the Protestant Bishops, and the rest of their clergy? whether did he take away their great and small liveings? whether did he putt any to death for not coming to mass: or in the least punish them for fayleing therein? whether did he deprive the Protestant layety of all imployments: and declared them incapaable to be imployed hereafter in the commonwealth? No: they can object noe such thing. Nay, he gave them their own wish. For he kept up their religion by a positive and unfayleing method; which was in preserveing a succession of their Bishops. When one was dead, he gave leave [for] another to be ordained after their own manner in the place of the deceased. Now Episcopacy being thus preserved, their Protestantism could not fayl. For a Bishop makes a minister: a minister he preaches to his flock: and so retaines them in their usual worship.

"37. But you'll tell me: all this is owned. Yett notwithstanding it, the King committed two particular faults in his government, which

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provoked his Protestant people very much. One was : he made a Jesuit<sup>1</sup> of his council. The other was : He appointed another Jesuit Rector<sup>2</sup> of one of the colleges in the university of Oxford. I answer first : It is insolence in vassals to question the government of their Lord and master. Which the word of God insinuates, as I pointed above, Prov. xix., 10. I answer, secondly, by an interrogatory : Did not the King leave to the Protestants their liberty, property, religion, churches, and employments civil and military ? What then did they want to complicate their happiness ? If this be an unquestionable truth, as we indicated above, that is was, certainly the King did not committ such horrible crimes, as to deserve a dethronement, by sheweing a favor to those two Catholick men. Lett us bring the matter to a tryal before the grand Signior, or the Sophia of Persia, or the Czar of Russia, or the two monarchs of the North. The leadeing question shall be : Whether Kings ought in right to be deposed by their people, when they make one of their subjects of their council, who professes a different religion from that, which is generally received over the kingdom : and when they constitute one subject more of the said different religion, overseer of a community of young men, who are taught Latin, and other branches of litterature, by masters of their own religion or the religion generally professed in the country ? We are contented to leave our cause to the determination of those princes ; whom we suppose the Protestants of England will not except against. In the mean tyme we say, that the English subjects are severe masters (if this be sense) to their servant the King : because they do not observe a distinction of punishments in proportion to crimes. Was there not a reprimand to be given first to his Majesty by a general address from the people ; which might be more proportionable to that peccadillo ? or, at the most, a short imprisonment, till he had given them sufficient guarantees of his good government henceforth ? I call that errour of the King's a peccadilloe : because it did not de facto take away the happiness which the Protestants had under his Majesty's regency in the enjoyment of their religion, their estates, and employments, as I demonstrated before. Neither could those two Jesuits, in the stations they were in, destroy the fine establishment, the King allowed the Protestants. For what harm could Father Petre's<sup>3</sup> advice in council do to the Protestants of England ? Were there not others there to ballance him ? Was not the Privy Council made up of almost all Protestants ? If the King would be lead by the sentiments of Petre, he could have his opinion, whether he were of the council or not, as being his servant : so that it was noe advantage to the King to make him a counsellor ; nor noe prejudice to the people.

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" 38. For the Rector of the college : what did he signify as to the doeing of dammage to the Protestant religion ? Governors of colleges do not usually teach. They onely have a superintendency over the masters and schollars in their several duties, in their behaviour, in their cloatheing, dyett and lodgeing. And if that Rector at Oxford were to be a Reader ; what was the consequence ? He was but one Catholick amongst many Protestant Professors of Divinity, Philosophy and other sciences in that University : so that there could be noe fear of his draweing the whole academy to the Roman church. Neither were the students of his own college compelled to remain in the howse, and

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<sup>1</sup> Edward Petre, sworn of the Privy Council in November, 1687.

<sup>2</sup> Bishop Bonaventure Giffard. See "Church History of England," vol. iii. p. 469. Brussels : 1742.

<sup>3</sup> Petre's] Peter's, Ms.

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to heare his doctrin. For they had their liberty to goe home to their parents, or to other colledges of Oxford, or to Cambridge, or to be instructed elsewhere by privat tutors. And tho' the collegians should have heard that Jesuit to teach and preach; there was noe certainty of their owneing themselves convinced at his arguments. I should rather think, there was more danger in readeing the great Doctors of controversy, as Cardinal Bellarmin and the rest, which those students had at their command in the library of the said University: yett we find noe such conversion to have been made of the collegians these forty years passt, as to deserve our remarks thereupon. But the truth is: mallice proves childish: and so is apt to make any toyish pretence to be her warrant for evil actions, which she is bent upon. The Protestants of England being unalterably resolved seaven years before James was seated on the throne, not to have him, because a Catholick, to be their King, p. 448 and being often disappointed in their attempts before and after his possession of the throne; they took new measures after rebellious Monmouth's, and Argyle's defeat, and more effectual means (which was the assistance of Holland) to compass their dessign, as I said above. But, because they could find noe solid flaw in the King's government, as a fundation for their general rising up against his Majesty; they pitcht upon this toy of Father Petre's being placed in the council, and the other Jesuit's being constituted Rector of a colledge in Oxford, for their grand ground of dethroneing their sovereign Lord and master, as you may observe in all the libells they afterwards made on that most excellent prince. In the interim wise men did look upon those two employments given by the King unto two Catholick priests, not to lessen the power of Protestants in England, no more, than a drop taken out of the ocean doth diminish that immense sea: because the Protestants had the great sea of the commonwealth to themselves. They had the council: they had the army: they had the fleet: they had the judicature of the nation: they had the prelacy and the clergy: they had all the ecclesiastick revenue: they had the magistracy of cittyes and towns. In short, they had the Tower of London, and the government of all the fortresses of the kingdom. p. 449.

"39. You may judge by this, whether the Protestants of England had not a solid cause of complaint, as well as the wise men of Utopia, who enrage at the bite of a flea, as if they were pierced to the heart with a two-edge sword. These are your brave Protestant Christians, worthy of the primitive ages; who can suffer almost as farr as the smart of that little vermin. Impartial reader, I must begg your pardon, if I abbreviat my discourse, tho' it has the most copious subject in the world; because forrain nations, who are here the best judges, are satisfied (without my vindication) with that method of governing, which our illustrious monarch used, when he was at the helm of affayrs in England. Onely I will say; that there is noe law in England prohibiting the King to make a Catholick of his council: and if any was made by Queen Elizabeth; the present King can dispencc with that law as destructive to his regency. And 'tis positively affirmed, as Doctor Chamberlain<sup>1</sup> has it, that the King of England can create Rectors of colledges of whatsoever religion he pleases. From whence you will uncontestably conclude, that King James the Second made noe step in governing his English subjects, but what was supported by the law of nature, by the law of nations, by the law divine, by the prerogative of Kings, and by the lawes and customs of England: in consequence p. 450.

<sup>1</sup> Edward Chamberlayne, author of "*Magnæ Britanniae Nectitia*," of which several additions appeared between 1667 and 1707.

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whereof his dethronement was barbarously unjust, and the blackest rebellion. Which is confirmed by the Court of Rome, saying that the King of England was villanously dethroned: and seconded by that of France, of Spain, of Venice: of Vienna, of Portugal, of Denmark, and Swedeland: tho' the said courts (except that of Rome) have acknowledged the succeeding government of England de facto for reasons of state, as they did the sovereignty of Oliver Cromwell, the late usurper of England, and the dominions thereunto belonging."

#### IV.

##### "CHAPTER 4." [RELATIONS BETWEEN JAMES II. AND THE IRISH.]

"1. Having given the world the satisfaction of shewing the innocency of James the Second in his reigning, while he was in actual possession of his throne; we now think it not fit as yett to breake off the thread of our history, but to continue the relation of his life unto his death.

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"2. The King haveing made his escape into France: and the newes thereof being spread over England; the gentlemen who had been summoned by the Prince of Orange on the 23<sup>rd</sup> of December [1688] to come up to London, made all hast to meet at the place appointed. And so the General Convention of the Lords and of the Commons or representatives of the people, who were named in the aforesaid proclamation, mett for the first tyme at Westminster in January followeing, the 22<sup>nd</sup> day, 1688, or accorded to the new stile 1689. The first thing, they took in hand, was to know, what appellation they should give to his Majesty's flight out of the kingdom. After a long debate about the terms, they concluded, that his exit was an abdication.

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"3. I tould you before, that mallice is childish: and consequently is apt to speake nonsense. Here is an assembly of the prime men of England; amongst whom there are many persons learned in the Lattin tongue. Yett, because they are carryed on with malignity towards their King, they are nonsensical in their interpretation of his actions. For abdication is a pure Lattin word, signifyeing a voluntary giving up of a post or station: as was that fact of Charles the Fifth Emperor at Brussells: whereby he delivered spontaneously his hereditary kingdoms of Spain to his son Philip the Second; and his elective empyre of Germany to his brother Ferdinand, who had been chosen King of the Romans, that is, heyr apparent to the imperial crown. Which abdication of his was for an end, he more coveted at that juncture, viz., to serve God for the remnant of his dayes with greater attention in a solitary life: haveing first reserved unto himself out of all his immense revenues, a small annuity for his privat sustenance.

"4. But James the Second, King of England, had noe intention of giving up voluntarily his crown, when he fled into France about the end of December 1688. For so he said himself at his departure from Rochester, in a letter he wrote to the Privy Council, wherein he signified, that, tho' he was of considerable years, yett he hoped to live so long as to recover his kingdoms, of which he was despoyled by his subjects. His words were to this purpose. And soon after he returned out of France into Ireland, in order to reinthrone himself by the assistance of his Irish Catholick people. So he continued the same desseigne unto his dying day. If he had of himself quitted the sovereignty, he would have don it at London with leasure, and without feare: he would have don it before the convocation of states: he would have tould his end therein: he would have appointed his successour:

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he would have reserved a revenue for his support dureing his life: he would have left England in the face of the sun, and not in the obscurity of the night; and all this he would have done in the supposition, that he were a single man. But being married, how could he have relinquished the government without the consent of the Queen? It is a phrenzy to think of any such resolution in his Majesty.

"5. On the other hand: the King saw himself persecuted by his Protestant people for the space of eleven years before: he saw himself at that very juncture of his departure abandoned by all his subjects of England: he saw them yealding the kingdom, without a blow, to his enemy the Prince of Orange: he saw himself then the second tyme a prisoner to his own subjects. Now I ask of the world, what should the King do in these circumstances? The world answers plainly without mincing the matter; he should endeavour to make his escape out of prison and out of the kingdom, if he were not a fool. Wherefore the King prudently provided for self-preservation: and so gatt away into refuge, where his liberty and life might be ensured.

"6. But here you must know, that this imposition of a false name upon the King's escape, was made by the grand assembly of England out of studied knavery, and not out of any ignorance of the word, as I hinted above. For they are more knaves than fools. Their end therein was to cleare themselves from haveing a hand in forcing his Majesty to fly out of the realm: and to perswade the world, that the King of himself layd down the sceptre: and that thereupon they tendered the vacant throne to the next in blood, who was his eldest daughter, the Princess of Orange, and in her right to the Prince her husband; because they did not owne the Prince of Walles. This was a mighty wise contrivance to justify their rebellion: was it not? As if the world could not see the Prince of Orange's invasion procured by the people of England in order to dethrone their sovereign Lord: and the kingdom in the invaders's possession, ere his Majesty attempted to fly; and his sacred person under imprisonment the moment before he actually made thence his escape. It would be, methinks, a better fault in them to acknowledge plainly; that they have deposed their King for being of the Catholick religion (since the world knowes it) than first to depose him by a long-studied conspiracy; and then foolishly to goe about the bush to gain belief, that the King had voluntarily quitted the throne: and that they onely filled the vacancy with the next right heyr: because by this action of theirs they committ hypocrisy as an addition to the dethronement. So it would be a more pardonable crime to declare, that they barr the Prince of Walles from succession to the crown, because they certainly were perswaded, that he would be educated in the Roman Church; than to take away the honour of his royal birth. For, by this last act, they do him a double injury: one, in rendering him ultimately despicable in the world, as farre as in them it lyes: the other, in depriveing him of his kingly inheritance.

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"7. The convocation of states, or the general convention having settled this point, that the King's flight out of the prison of Rochester, and out of England to the sanctuary of France, must be called abdication, the throne is declared vacant, first by the Convention of the Commons on the 28 of January [1688-9]. The same thing is don by the Convention of the Lords on the 7 of February. How ridiculous to reason this declaration is, and how detestable to justice, I leave it to the judgement of the world. Then the Princess of Orange was sent for from Holland at the Commons's voteing of the throne of England vacant, and arrived at

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London on the 12 of February. The next day the crowns of England and Ireland were presented by the general convention to the Prince and Princess of Orange: which they (to their eternal shame) accepted of: and were the same day proclaymed King and Queen: and in April following both were crowned on the 11<sup>th</sup> 1689, by name William the Third, and Mary the Second.

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"8. Lord! what an example is this of a daughter usurping the station of her father! We are noe Mahomettans in this tract of Europe: but professed Christians. Yett our actions, and particularly these of England, and this of the Princess of Orange are able to give the blush to Ottomans. If this royal daughter had bona fide believed the King her father to have deserved his dethronement: in this case itself she should have proceeded most timorously, least to give offence to nature. So in the first place she should have published a manifesto in her justification: alleadgeing, that her opiunion was, that the King incurred his deposal by the lawes of the land: that thereupon there was a natural right in the people to give the crown to the next in blood: that the infant called the Prince of Walles, was not the son of her father: and consequently she was the next heyr to the crown, as being the eldest daughter: that therefore she could not refuse her own right tendered to her by the people, who had the presentation of it: that by her refusal thereof she could do noe good to her royal father: that in this station she was prepared to afford him all the comforts, that a princely maintenance can give: that, in fine, she declared to the world, that she took not the crown of England out of any ambition, or neglect of duty towards her parent: but onely to prevent her natural right to be given to another.

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"9. On the other side, if the Princess believed, that the King her father did not so misgovern, as to deserve dethroneing, as she must needs be convinced thereof: that the people have noe lawful power of deposing their King, as she knew for certain out of the transactions of King Charles the First, her grandfather, and of Charles the Second, her uncle; and out of the lawes of England, which admitt noe such thing: if, in fine, she was perswaded, that her father was noe knave in imposing a strange heyr on the nation, while she and her sister were alive, as she was sure thereof, and all the world besides: then in such case it was her indispensable duty to refuse the crown: to detest the guift of robbers: to disowne such a right in the people: to declare them rebels: to stay at home in Holland: and to remain thus constant, tho' the people of England should impart the diadem to another. Which if she had don: and her sister had followed the example, the people would soon be weary of their distractions, as they were in the usurpations of the ould Rump Parliament, and of Oliver Cromwell: and so they would be glad to recall their King; as General Monck and his faction did King Charles the Second. But alas! this famous daughter troubled not herself with the performance of any such devoirs, as are above commemorated. She sate quiet in Holland: she heard her father was deposed upon the account of his religion: she saw presently the crown offered unto her: she accepted of it without more ado: leaving the father to shift for his bread; while she fattened with his spoyle.

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"10. But to return from our digression: the coronation being over; the people of England now certainly think, that they have no more to do, than to sitt down, and enjoy quietly the present happiness, which they have procured to themselves at great danger seemingly, but small cost, as meeting noe opposition in this their last enterprize. The episcopal Protestants in specialty triumph the most: because they have a

Protestant King and a Protestant Queen : because they can repayr those great breaches of their Church, which the King had caused in placing a Jesuit Rector in one of the colledges of Oxford; and in making Father Petre of the council : because in fine they expect henceforward noe possible diminution of the Episcopal branch of Reformation throughout the Brittish empyre.

"11. Yett give me leave to say, that the all-seeing God seldom or neaver suffers publick wickedness to escape scott-free even in this world, besides the reserved vengeance in long eternity. His omnipotency rayses the weak to give confusion unto the mighty. He strikes often the sinner there, where the sinner least dreames to be stricken. And so it is : the rebells of England must not goe unchastized for the barbarous injustice they have don unto the Lord's anointed. They shall pay dearely for their villanous phancy in their treasure, in their honour, and in their very religion, for the sake of which they had don that, which pagan nations would blush at.

"12. In the first place then, as soon as the King came up to London on the 26<sup>th</sup> of November 1688 from Salisbury he wrote a letter to the Earl of Tyrconnel, Lord Deputy, alias Vice Roy<sup>1</sup> of Ireland, then at Dublin, letting him know, how he was betrayed by his army; how he was abandoned by his people of England : and also giving the said Lord Deputy his orders and instructions, what to do for his interest in this juncture. Immediately the Earl of Tyrconnel called a council, to which he made a proposal for rayseing an army to maintain the King's rights. Upon this proposal several arguments passed pro and con. But his Excellency was altogether for warr; and shewed plausible reasons for success. Which opinion had the ascendant: and so 'twas decreed to levy forces out of hand. Which was soon made known to the Catholick people throughout the kingdom.

"13. Here lett us pawse awhile, and examin the nature of this enterprize. The Catholicks of Ireland do undertake a warr for the reinthroning their banished King. Why should they do this, since they had been oppressed by the precedent monarch, as we remonstrated above; for whom they did that, which noe subjects had ever don, viz. they maintained warr on their own cost for several years against their common enemy, Oliver Cromwel, and other regicides and usurpers: till at last they were totally subdued and deprived of all they had in the world. The sad remembrance of the aforesaid oppression (neaver was the like since the Creation) should make the Irish Catholick nobility to rejoyce rather (according to the dictats of flesh and blood) at the misfortune of an ensuing King of England, especially of the immediat successor and brother of their oppressor : which brother at the tyme of their oppression behaved himself not much better, as farr as went his power : at the best he stood newter : and moreover he receaved into his possession the estates<sup>2</sup> of several Irish Catholicks delivered most unjustly unto him by the King his brother, and by the barbarous Parliament of Ireland, as we mentioned above. But Catholick religion is one thing : and herey is another. Catholic religion obliges us to duty towards our lawful sovereign, tho' he had often injured us, and tho' he were of a contrary belief. Whereupon Catholicks will still be Catholicks ; and so the Irish

<sup>1</sup> A reproduction of a letter written from Dublin Castle by Tyrconnell, in 1686-7, is given in "Facsimiles of National MSS. of Ireland," Part IV.-2., Plate lxxxii. London : 1884.

<sup>2</sup> For account of the estates of James II. in Ireland, see Eighth Report of this Commission, 1881, Part I., p. 497.

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must lay aside all resentments that thwart their allegiance; and take up arms, for to discharge their devoirs, although they were to loose their fortunes, and destroy their families again, as their fathers had don for King Charles the Second.

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"14. Yett how are they able to assume this province? Money they have not: and theire estates in land have been for thirty years before in possession of Protestants; except som few inheritances, which had been rendered in each province of the kingdom to the right owners in the reign of the said Charles the Second. They also want arms: they want horses; they want other utensils of warr. They are ignorant in the military art, as being debarred upon the account of their religion, from posts of that mistery of a long tyme by the government. They are in fine destitute of warlick ships and other vessells: which is the most important advantage to an island, either to guard the coasts, or to bring home all necessaryes of warr, or to transport men for annoyeing your enemy either by yourself, or in conjunction with a friend and ally.

"15. And what is worse than this: they have a most potent enemy to deale with. For they are to stand against opulent England, hardy Scotland, and the violent Protestants of Ireland. They are to fight veteran forces of divers nations, which the Prince of Orange will send, or bring himself. But the greatest terrour of all to the Irish Catholicks, is, that, if England should loose an army in the fields of Ireland, she can send another and another, and tuns of gould to maintain them: so that Ireland in her present circumstances is in noe way a match to the power of England.

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"16. These are all solid dissuasories to the enterprize of the Irish Catholicks. But what will you have of it? Altho' conscience should be free from obligation of rising for their King, because of their inability: yett an exorbitant zeal, and natural courage will attempt matters (as often it happens) which reason deemes not fezable. To make these noble flames of the Catholicks take a higher pitch, they are tould that the King will come amongst them in person: that France will send arms, will send money, will send experienced officers, and trained souldiers to their assistance. Whereupon the nobility and gentry from all parts of the realm do fly up to Dublin, for to attend the pleasure of the government in this affayr.

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"17. The Lord Deputy observeing so gallant an ardoure in his Majesty's good subjects, gives his commands to the secretaries to draw commissions speedily for the levyeing of regiments, horse, foot and dragoons. The orders were obeyd: and his Excellency<sup>1</sup> began to deliver out his commissions in the month of December 1688, about a fortnight before the King made his escape out of England. The levyes goe on amain in cittyes, towns, and in the country. Here you may judge of the greatness of affection, which the poore people shewed to the royal cause by this, that in the space of two months, above fifty thousand enlisted themselves for the warr: and each company and troop of the whole number was subsisted upon the cost of every captain for three months, to the undoeing of several officers who were not lords of land, nor possessed of any great treasure.

"18. Ah! would to God, I were master of a meet talent in setting forth the commendation of this loyalty, of this zeal, of this love, of this

<sup>1</sup> The Earl of Tyrconnell.



compassion to their suffering prince! A mighty monarch the other day, (for he was Lord of kingdoms) now is expelled his throne most nefariously by his own vassalls, by his menial servants, by his favorites, by his confidants, by his own bowells, for noe fault, but what he thought was a blessing, and a blessing above that of the crown: that is, the Catholick religion: and being thus abandoned by his innumerable people, p. 469. he can find not any of his to take pittie of him, nor take up his quarrel, but those of his subjects who are least able to vindicat his wrongs; and who had been most unrighteously dealt with by the immediat predecessor of the present King, tho' they demonstrated the like fidelity towards the said predecessor in his forlorn case. All we can say in the matter, is, that this example of loyalty in Irish Catholicks is right admirable; and may do good to other princes, tho' it should not profit their own. Yett their own King in after tymes, when by Providence a restoration is made, may, if he pleases, reape a substantial benefit, out of the remembrance of this behaviour of his Irish subjects, and of their Catholick fathers in the reigns of Charles the First, and Charles the Second. Which benefit consists in this. It is an experience above controulement, that the pretended reformed people of England are prone to rebellion: that de facto they have dethroned three Kings one after another of late years: that of the three nations, the Catholick people of Ireland have shewed themselves most loyal; nay constantly loyal in the three last revolutions happening under the aforesaid princes. That in this universal rebellion against James the Second, they alone stood faithful, except the Catholicks and som few Protestants in England and Scotland: that in fine this loyalty is in them fixed by the principles of their religion. Wherefore, these being all truths, the King of England, for his own security, will make hereafter his Ireland a powerful nation, in order to be a check upon the people of England: and by that terror to prevent their rebellion: or, if it happens, to extinguish it soon. And to render the Irish Catholicks effectually potent for this end; it will be requisite in the King to restore unto them their antient estates, which the Protestant usurpers have retained in possession these forty years passt: to make the Parliament of Ireland absolut in enacting p. 471. lawes, without being obliged to send beforehand the prepared bills, which are destined to pass into acts by the consent of both howses of Parliament, for the King's precedent approbation of them; it being sufficient to have the King's assent given unto them by the voyce of his Deputy, after the said bills have passed both the howses: to make the judicature of the nation determin causes without an appeal to the tribunals of England: to give full liberty to merchants to export the product and manufacture of the kingdom; and to import forraign goods without an obligation of touching at any harbour of England: to erect studies of law at Dublin: to putt allwayes the Viceroydom into the hands of an Irish Catholick: to sett up a silver and Gould mint in the capital citty: to conferr the principal posts of state and warr on the Catholick natives: to keep standing an army of eight thousand Catholicks: to train p. 472. a Catholick militia: to maintain a fleet of 24 warlick ships of the fourth rate: to give the moyety of ecclesiastical liveings to the Catholick Bishops and parish priests durement the life of the present Protestant Bishops and ministers: and after the death of these, to confer all the said liveings on the Roman clergy: to make the great rivers of the kingdom navigable, as farr as 'tis possible: to render the chief ports more deep, and thorough tenable against any attacks from sea: in fine, to drain the multiplicity of boggs: which being effected will support a vast addition of families.

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"19. While the Catholicks of Ireland were buisy in rayseing an army for the King in the months of December, January and February; the Protestants of Ireland were hatching oppositions. For they had resolved before to sitle with England, and acknowledge the Prince of Orange for their King. Of all Protestants within the bounds of the English monarchy, those of Ireland (except a few) had the greatest reason to rise against King James the Second (if you will lay aside conscience), because they have been in feare, of a long tyme, that his Majesty would upon the first opportunity, compell them by new and just lawes<sup>1</sup> to restore unto the Catholick owners those estates, which the said Protestants possessed by the grant of Cromwell, and by the confirmation of that unrighteous Parliament, which sate at Dublin a little after King Charles the Second had been restored. Some of the Protestants by this tyme actually broake out into rebellion. Others remained in their habitations, till a fayr occasion was offered, to shew themselves bare-faced: which was, when Mareshal Schomberg,<sup>2</sup> the Prince of Orange his general, landed in the North of Ireland with an army in the month of August 1689: and when the next year the Prince of Orange himself arrived in the same province [Ulster], with a numerous host.

## V.

### "CHAPTER [6].<sup>3</sup>"—[CAMPAIGN OF 1689-1690 IN IRELAND].

p. 575.

p. 576.

"1. The King being come to Dublin, sent a request to the most Christian monarch<sup>4</sup> for five or six regiments ofould foot: and in exchange of which he would send him as many regiments of his late rayseed army. For this end, his Majesty ordered to make ready for spring to goe into France the regiments of the Lord Viscount Mountcashel;<sup>5</sup> of Collonell Daniel O'Bryen of Clare; of Collonell Richard Butler of Galmoy; of Collonell Robert Fielding; and of Collonell Arthur Dillon of Costola.<sup>6</sup> Over which body the said Mountcashel was appointed General.

p. 577.

"2. Dureing this winter 1689, the King and his Catholick people of Ireland were cheareful enough, as haveing not received so great a loss from the army of Marshal de Schomberg, as they at first apprehended. But with all this; his Majesty had litle or noe intelligence of what preparations were a makeing in England against Ireland for the next campagne. And therefore he and his loyalists improved not their condition. There was noe augmentation of troops made, as there should be, and that considerably: noe care taken in exerciseing the army in their respective quarters: in provideing arms and apparrell: in fortifyeing towns, and filling them with ammunition and victualls. This was not the way to secure Ireland, and conquer England. Great undertakeings require great wisdom, great care, great diligence. Alas! It is noe childrens's play. The council must be stanch in knowledge and loyalty: the civil officers honest in their management: the military commanders must keep themselves from the fooleryes of gameing, drinking and

<sup>1</sup> Repeal of "Acts of Settlement and Explanation."

<sup>2</sup> A reproduction of a holograph letter from Schonberg to William III., written at Lisburn, Antrim, in November, 1689, appears in "Facsimiles of National MSS. of Ireland," Part IV.-2, Plate lxxxvii. London: 1884.

<sup>3</sup> Erroneously numbered 13 in the MS.

<sup>4</sup> Louis XIV.

<sup>5</sup> Justin MacCarthy.

<sup>6</sup> Barony of Costello, county of Mayo.

whooreing : they must see that their souldiers be expert in the use of arms ; be fedd ; be apparrelled ; be provided for in their sickness. These are the wayes of bringing such high enterprizes to a happy end. These gentilmen are eager for the obtaineing of higher posts : but they will not take pains to deserve them.

"3. The Confederat Princes abroad, as the Catholick King,<sup>1</sup> the States General, and the rest, haveing receaved an account of Schomberg's ill success in Ireland, wrote to the Prince of Orange, putting him in mind, that, if he did not goe himself in person into Ireland, and bring the strength and flower of England with him, the warr therein would last long ; and consequently his allyance would signify nothing unto them : and thereupon they must be forced to make a disadvantageous peace p. 578. with the common enemy. This suggestion rayesd the Prince on a resolution to undertake the Irish expedition : and so accordingly he did prepare for the next season. He had allready of forraigners in England about 8000 Danes under the Duke of Wirtemberg, who landed at Hull on the 13th of November 1689. These veterans and other forraign troops with some English, the Prince designed to bring along with him into Ireland at the ensuing spring.

"4. In the mean tyme there happened noe winter-action of any note between the Catholick and Protestant troops on the frontiers of Ulster, except two or three. On the 24th of November Captain Christopher Plunkett of Lagore<sup>2</sup> in the Lord of Louth's regiment, was sent with his company of grenadiers by Major-General Boisselau<sup>3</sup> from Dundalk to take the above-mentioned Newry, an open town then garrisoned by a few of Schomberg's army. He marched in the night tyme, and by the dawn of the day he made himself master thereof by the slaughter of a few of the enemyes. And as he was goeing to plunder the place, which was furnished with good store of money ; and had horses and black cattle, p. 579. the Captain receaved an order from the Major-General to retire immediately to his quarters. What reason there was for this order, we have not been informed otherwise than that the first dessigne was onely but to show to the rebels, that the King's frontiere garrison was watchful and bould. If this was the true reason, it was foolish, for exposing men's lives to noe purpose. And at the end, the Major-General was in danger to be treated as an enemy by som of the sturdy grenadiers, who hardly could bear such commands. He should have used those fooleryes with his beasts : and not with men, whose lives are pretious to the country. This is a frequent fault in commanding officers, who value the lives of their souldiers not so much as some men do their doggs. And this is a reason, why it is a pitty, that man should be under fellow-man ; but that necessity requires it. Hence I inerr that great commanders should have as much of conscience as of skill. By this they would be barred from flinging away the estimable breath of men upon every whymsey. And here it is, that I offer my sentiment, p. 580. that the sending abroad of partyes at much danger for some small prey, or for cutting off a few of the enemyes, or for any such insignificant end, is seldom, or never rational. Lett the men be preserved, either for a grand battle, or for a grand siege, or for to fight a considerable body, or for an important booty, or to gain or defend a necessary pass, or to cutt off the enemy's provision, or in short for some other enterprize that is of importance to the whole army.

<sup>1</sup> Charles II., of Spain.

<sup>2</sup> In county of Meath.

<sup>3</sup> Major-General Boisseau, who accompanied James II. from France to Ireland.

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"5. After this business of the Newry, and in January immediately followeing, Brigadier Nugent of Westmeath, went with a party to besiege the castle of Kennaught<sup>1</sup> in the county of Longford belonging to Sir Thomas Newcomen. The castle was defended by the Lady Newcomen, and some Protestant rebels that took refuge therein. The Brigadier expugned it, on conditions advantageous to the besieged, the 13th day of the-above-said month 1689,ould stile, but 1690 stilo novo.

p. 581.

"6. In the followeing March, and on the 14th day of the month, a French fleet of forty-one men of warr, four fireships and five flutes<sup>2</sup> arrived at Kinsale from Brest, carryeing for the service of the King of England six regiments of foot, viz. of Finmarcon, of Zurlauben, of Merode, of Lamarche, of Courtasier, and of Forest; makeing fully six thousand men. Besides this: there was three or four hundred Irish: som English: and some French volunteers: with 22 pieces of canou for the field: three hundred bombs of different sizes: six thousand grenades: a great quantity of ball of all sorts; and of arms and of other necessaryes for the King, and for that particular brigade: the General of which was Count de Lauzun: the Lieutenant-General, Marquis de Lery. This body was ordered by the King to come to Dublin; where they were quartered, till they took the field in May.

p. 582.

"7. In exchange of these forces, the above-named Irish regiments under the conduct of the Lord of Mountcashel, were embarked on the same fleet at Cork in the month of April for France, where they safe arrived. This opportunity for returning was taken by Count d'Avaux, the French Ambassador, and by General de Rosen,<sup>3</sup> they not approveing of the King's method for the preservation of Ireland.

p. 583.

"8. But in a month before this there happened a snall fight at Cavan on the frontiers of Ulster between the loyalists and the rebels. Mareschal Schomberg, dessigning to streighten the Irish quarters on the borders of the North, ordered Brigadier Wolsely to take a party of Eniskilleners and of English souldiers and marche to Cavan, the head of that county, and fix there. The King being informed thereof, sent from Dublin his commands to Brigadier Nugent to marche to the said Cavan with 800 men from the countyes of Westmeath and Longford: and at the same tyme his Majesty enjoyned the Duke of Berwick to marche from the county of Dublin with the like quota to the same place, in order to hender the enemy from gaineing ground. Both the royal côres for the most part arrived at the open town of Cavan on the 10th of February. They were all foot, except a troop or two of horse Brigadier Wolsely came to the place on the 11th in the morning with 700 foot and 300 horse and dragoons. The Duke of Berwick, commander in chief, being alarmed, and not well prepared, drew however his men out of the town to an open ground: by which he gave an advantage to the enemye, who was come to attack him. For the enemy seeing that posture, he placed his foot within the hedges and ditches of the avenues of the town; and so took the defensive. The King's forces being divided into two wings, assaulted the rebels within their fences. The charge being given and maintained smartly, a party of Irish hors broake another of the enemyes. But the left wing of the royalists was so overpowered by fighting at such an inequality, that they were

<sup>1</sup> Kenagh, Kineagh, barony of Moydow, co. Longford.

<sup>2</sup> "Fluit," "flûte,"—ship mainly for conveyance of goods.

<sup>3</sup> See "*Mémoires du Maréchal de Berwick écrits par lui-même*," vol. i., p. 64. Paris: 1778.

forced to retire into a fort, that was near them. The right fighting at the like disadvantage, retreated also thither. By which the rebels gained the field. Of the royal party there was about 200 killed: amongst whom was Brigadier Nugent, much regretted for his bravery. So was Adjutant Geoghegan; and Captain Stritch; and a few other officers. There was ten officers made prisoners: of which were Captain William Nettervil, Captain Daniel O'Neil; Captain O'Bryen; and Captain George Macgee. Of the enemyes there was slain Major Trahern, Captain Armstrong, Captain Maio, and near 50 privat men: and about 60 wounded. Brigadier Wolsely returned to his own quarters, haveing first burnt the town of Cavan, not being able to keep it, because the castle was in the possession of the Irish. p. 584.

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"9. The month of April being com in the year 1690: Mareshal Schomberg, like a vigilant general, drawes out of winter-quarters his army into the field, in order to take the King's fortress, called Charlemont,<sup>1</sup> in the county of Ardmagh, before the landing of the Prince of Orange and his forces; to the end his Highness might find the whole province of Ulster entirely under his obedience at his arrival. The Mareshal then sate down before Charlemont about the 22nd of April, which held out three weeks, untill the garrison had nothing to eate. Upon which the governor, Sir Thadey O'Regan delivered it upon honourable terms the 14 of May, that the garrison, being 800 men, should marche away with their arms and baggage. You see, reader, that it was ill management which hath lost all along, whatever part of the country the enemy hath gained. It was easy in the winter to send provisions into that town for a much longer siege: yett it was not don. You shall meet with more of those faylures, before the warr endes. In the meane while I must say, that a King is not able alone to inspect into every buisness, that comes under his government. 'Tis therefore assistants he must have: and these ought to be men of skill and conscience, as we have often said: otherwise the nation is destroyed. Whosoever those healpers were either in advise, or in execution, whom his Majesty made use of in the management of the military affayres, proved either ignorant or dishonest. The common report blamed (amongst others) the Earl of Melfort,<sup>2</sup> who was Secretary, as above said, and had the disposal of the warlick stores. p. 585.

10. By this tyme his Majesty commanded, that his troops should draw out of their quarters, and rendezvouze at Dundalke, in order to wayte there for the Prince of Orange (who was to land in Ulster where Schomberg lay) and to give him battle. These troops convened there: but not so many as should have mett for the desigine. For too many regiments of foot were left in garrisons, and that to noe purpose, as it happened afterwards: whereby the King's army, which took the field, proved much inferior in numbers to the host of the rebels: tho' I owne, excellent art might have supplied that defect. This was a strange oversight in the King and his generals, not to have brought the strength of the kingdom to the field, since the resolution had been taken of putting all upon a battle. By this management the King was neither strong in the field, nor strong in towns. For not one garrison was of any notable strength in the beginning of the warr: nor any care hath been taken since then to the day of the Boyn (that is a year and a half) to fortify the places. p. 587.

<sup>1</sup> For an account and drawing of Charlemont Fort, see "Facsimiles of National MSS. of Ireland," Part IV.-1., Plate xl. London: 1882.

<sup>2</sup> For letters written at Dublin by John Drummond, Lord Melfort, in 1689-90, see Eighth Report of this Commission, Part i. 1881, p. 492.

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p. 588.

"11. It would have been better, if the King had taken the field sooner, and entered into Ulster : by which attempt he might have cutt off the army of Schomberg, before the Prince of Orange could land with the rest of his forces. However, his Majesty being come to Dundalk on the 16 of June, fixed there his camp with a resolution to expect the arrival of his enemy, and fight him. The ground was naturally fortifyd : to which some works were added. But if the King had proceeded 4 miles farther to the nigher end of the long cawseway, that runs thro' the middle of a great bog at a place called Four-mile-house, as being within four miles to Newry, and as many to Dundalk ; the moyety of his army with good management could have stopt the enemy : whereby he would have been forced to take a fatigueing marche to either of the two passes in the county of Ardmagh. In the interim the King might be reinforced with ten thousand men of militia from the adjacent countyes, and be also before the enemy at those passes as haveing the lighter army where his Majesty could with more ease defend those streights. By which the Prince of Orange would have been detained a month in the desolated country to the hazard of famishing his troops. Nor was there any other way to pass directly into Leinster from the North. His remedy was either to reimbarke his army, and land on the coastes of Leinster : or to marche thro' the province of Connaught. By that tyme the campagne would be at an end, which would crowne the King's affayrs. For by the next spring his Majesty might have double his forces on foot."

## VI.

### [WILLIAM III. IN IRELAND.]

p. 589.

"12. But to return : we are to tell you, that the Prince of Orange with fayr troops embarked at High Lake in Lancashire on the 11th of June [1690]; and on the 14th he landed at Carigfergus. He joyned immediately Mareshal Schomberg, by which conjunction there was an army made up of thirty-six thousand chosen men of which 14000 were hors, most veterans, Danes, Germans, French, Dutch, English, Scotts, and Irish Protestants, well payd, well cloathed, well armed, with a numerous artillery. With the Prince of Orange, and in some tyme before, came Prince George of Denmark, the Duke of Wirtemberg, General of the Danes, the Prince of Hesse-Darmstadt, the Lord Dowglass, Count de Nassau, the Duke of Ormond, Baron de Ginckle, Count de Solmes, Lieutenant-General Macay, Major-General Scravenmore, Major-General Talmash, Monsieur d'Overkirk, the Earl of Oxford, the Earl of Portland, the Earl of Scarborough, the Earl of Manchester, the Lord Sidney, and others of quality out of England, all zealots for the cause. Which kingdom was left feeble in strength of trained souldiers ; for the remainder of the English forces was, for the most part, sent aboard the fleet, in order, with the assistance of the Dutch navy, to secure the coastes in the Prince his absence. With this fine army the Prince of Orange marched to Lough Brittlan<sup>1</sup> on the 22 June, and encamped there, where he had his forces mustered.

p. 590.

"13. On the other side, the King haveing receaved an account that the Prince of Orange was landed, and resolved to marche up to Dublin, he sent out of his camp on the 22d of June a party towards Newry, for to take som prisoners, that he might learn the strength of the enemy. The

<sup>1</sup> Loughbrickland, co. Down.

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party consisted of four companies of grenadiers under Collonell FitzGerald at that tyme Lieutenant Collonell to the Lord Bellew : and of 60 horse under Collonell Lawrence Dempsey, then Lieutenant-Collonell to the Lord of Galmoy. They had orders to remain at the nigher end of the four mile pass above mentioned. They were not here long, when they discovered between 2 and 300 English foot and dragoons at the other end of the pass : who, it seems, were coming from the Newry towards Dundalk for to know the King's strength, and how his army lay. The Irish suffered them to pass the cawseway : and then they poured their shott in amongst them. There was a return made. But the English dragoons being more numerous charged the Irish horse with such fierceness, that they disordered the troop. Collonell Dempsey suddainly again brought them into order ; and returned the charge with that violence, that they broake their enemyes : and in that confusion a party of the Irish p. 591. grenadiers fired in among them, which caused a general flight in the English, of whom there was nigh 30 killed ; and Captain Farlow and another officer were made prisoners. There was about ten of the Irish slain, and Collonell Dempsey received a mortal wound, of which he dyed within three dayes after at Ould Bridge, a village on the Boyne. He was regretted, because he had been a good horse officer, who had been a Collonell in the King of Portugal's warres.

" 14. The Irish party being returned to Dundalk ; the King was told by Captain Farlow, the prisoner, that the army of the Prince of Orange was 50000 strong. This, I am sure was an exaggeration, for to oblige the King to fly before his enemy, and leave him the country of plenty, of which Orange stood in need, not haveing any sustenance but what he brought with him out of England : which could not by that tyme be much. The true list of his army was, as I sayd above, 36000 effective men : or otherwise, two troops of guards : 23 regiments of horse : five of dragoons : and 46 of foot : of which a few the Prince left as garrisons in the North. 'Tis true he had near thrice as many horse as the King. p. 592. For his Majesty had but eight regiments and two troops of guards, tho' a most excellent core : three regiments of which, viz. of Tyrconnell, Galmoy, and Sarcefield, could hardly be matcht. The King had also seven of dragoons ; and 50 of foot, besides the five regiments, he had sent to France : in whose place he received six French. Yett of these bodyes of men, the King had not in the field against the Prince, the day of the Boyne, but 26000, French and all ; the rest being in garrisons ; and his train of artillery was not above 18<sup>1</sup> small pieces of which 12 belonged to the French brigade. However, this information of Farlow, tho' in itself not credible ; (considering, that both England and Holland (Holland being then in warr against France) were not then in a condition to spare so great a body : nor was England able in so short a tyme to transport and feed such numbers) yett it had this effect, as to make the King believe that the Prince was much superior in his troops. Whereupon his Majesty commanded the camp to rise and return towards p. 593. Dublin. He repassed the Boyne with his army on Sunday the 29th of June, the foot thro' Drogheda, and the horse thro' a forde of that river at

<sup>1</sup> Ms. indistinct. The Duke of Berwick, who was present on the occasion, wrote : " Les ennemis avoient quarante-cinq mille hommes, et nous n'étions que vingt-trois mille."—"Mémoires," 1778. The Jesuit, Père d'Orleans mentioned that " l'armée du Roy [Jacques] de la Grand Bretagne ne pût guères passer vingt mille hommes, une grande partie à demi armée, et n'ayant d'artillerie que douze pièces de campagne, qu'on avoit amenées de France."—"Histoire des Révolutions d'Angleterre," 1714.

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p. 594.

Ould Bridge : before which ford he encamped that night, with his left towards the Bridge of Slane, and his right to Ramullin,<sup>1</sup> where the King's pavillion was. In which camp he remained all the next day, and till Tuesday morning the first of July. In the interim the Prince of Orange marched close after the King from Newry : and came to Dundalk on the 27 of June. On the 29 he marched a litle beyond Ardee, and there encamped that night. On the last of June, a Munday morning, he arrived on the other banck of the Boyn opposit to the King's army, and there fixt his camp. That same day in the afternoon the Prince of Orange being accompanied by the Prince of Denmark, and other great officers, went to view the King's camp from the contrary side of Ouldbridge. One of the royal canoniers perceaveing a troop of hors to observe the Irish camp, fired that way a small piece : the ball of which slanted upon the right shoulder of the Prince of Orange, and took away a piece of his coate, and struck off the skin. This was a thunderbolt to the saints of rebellion : and it was like to putt an end to their holy warr.

p. 595.

" 15. Here we will consider thus : either the King resolved at his encamping on the bancks of the Boyn to fight the Prince of Orange, in order to keep him beyond the river, the ould Rubicon<sup>2</sup> of the Pale, and the frontiere of the corn country ; or he resolved not. If he resolved not : why did he not decamp earely a Munday morning, before the Prince of Orange appeared on the other side of the river : or a Munday night : because it is not safe to rise in the face of a more potent enemy ? If the King resolved to stand his ground, why did he not use the common rules of art military for the strengthening of an inferior army against a superior ? By which means the inferior doth gain often the point, as we see in the experience of warrs. There was at that tyme but a few narrow passes to be fortifyed on the Boyn which might have been don in the space of three howers by three hundred pioneers.

p. 596.

" 16. But you will say : if the King's army had layn entrenched : the Prince of Orange would have decamped, and marched up by the river to Navan, or higher ; and there have trajected. We answer first : the King might take the same course on his side, and be there sooner ; as haveing the more expeditious army : and might have entrenched there in like manner. We answer secondly : that the King by these obstructions given to the enemy's passage could have called to his succour 15000 resolute men of the Catholick militia and voluntiers out of the adjacent countyes of Meath, Dublin, and Kildare ; some armed with swords : some with half-pikes : some with fire-arms ; and some with sithes, which with skilful management would likely turn the ballance to the King's side, considering how propense the people were at that tyme to fight against a most odious enemy, who came to devour their all.

" 17. But unfortunately none of these courses was taken. Which makes me fear, that some one or more of the King's counsellors, were underhand intent upon the destruction of the nation. Otherwise, how is it possible, that such gross errors should be committed in the government of the army, and in using right ways and means against the attempts of the enemy ? The King, 'tis true, resolved in the evening a Munday, to decamp that night : but unhappily again that resolution was not executed till a Tuesday morning the first of July about 8 of the clock : at which

<sup>1</sup> Rathmullan, co. Meath.

<sup>2</sup> This term was also applied to the Boyne by Richard Bellings. See "History of the Irish Confederation and War in Ireland, 1641-43." Dublin : 1882, vol. i. p. 42.



tyme the army was commanded to marche upwards by the river, givinge their right flank to the front of the enemy; in order, as 'twas believed, to goe to Dublin, for to gett a better opportunity of defence, or of givinge battle.

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p. 597.

"18. Before the army began to move, you must know, that there was two regiments of foot, the Earl of Antrim's<sup>1</sup> and the Earl of Clanrickard's, left at the ford of Ould Bridge within some gardins of the poor inhabitants, without intrenchment or canon, for to stop the enemy a while from coming over, till the infantry gott clear of the river. At the same tyme Sir Neil Oneil was placed with his regiment of dragoons at the ford of Rosnaree a litle beneath the bridge of Slane (the bridge being broke before) for to guarde that pass. This being so: the army began their marche. The Prince of Orange seeing them in their motion of goeing off, ordered his army (and not before) to pass the river in 2 places, principally at the ford of Ouldbridge, and at the ford of Rosnaree. He sent Lieutenant-General Dowglass, the Earl of Portland,<sup>2</sup> Monsieur Overkirk, and Count Schomberg, the Marshal's son, with above ten thousand horse and foot to pass at Rosnaree on his right. He sent a greater body under Mareshal Schomberg, the general, to traverse the forde of Ould Bridge: he himself folloewing with the rest. p. 598.

"19. The King observeing the Prince to attempt a trajection, commanded his army to halt and face to the enemy, which they did; and prepared themselves to fight upon the passage of the river. But alas! they were decaived in their expectation, for there was noe battle; because they were not brought to combat. There was onely a skirmish in passing the waters between a party of theirs, and the whole army of Orange. And because this party did not keep all the hostil troops beyond the flood, the King's host must marche away, and leave the pass to the foe. If there was a settled resolution to fight, why was not the army lead down in two wings to the river with their field pieces, as they saw the enemy's forces divided: and there to stand it out for two or three howers? The hostil canon could not much annoy the Irish, as being mounted upon an over-lookceing ground; while the Irish artillery might play without obstruction in the faces and flanks of the enemyes, as they were descending to the river, and crossing it. I am confident by the knowledge I have of the loyal troops, and of their eugreness for fighting that day, if they had been managed, as aforesaid, the Prince of Orange would not have persisted in traversing the water at such disadvantage, as violent as he was for approcheing to Dublin. Mareshal Schomberg better understood the point, when he made difficulty at that juncture to attempt the trajection, as he saw the Irish drawn up for combat. But he was overruled by the temerariousness of Orange: which notwithstanding did succeed thro' the non-resistance of the loyal host: which was occasioned by the ill conduct of Generals, as you shall now observe. The two great wings of the Prince of Orange his army being come to the river, action was discovered to begin at four in the afternoon both at the ford of Rosnaree, and at the forde of Ould Bridge. Whereupon it was ordered that five regiments of Irish foot should be in hast sent to reinforce the two before mentioned regiments at Ouldbridge. p. 599.

"At this tyme the Lord Dungan,<sup>3</sup> was commanded down from the right with his regiment of dragoons, to give a check unto some advanced troops p. 600.

<sup>1</sup> Alexander MacDonnell, third Earl of Antrim.

<sup>2</sup> William Bentinck.

<sup>3</sup> Walter Dungan, or Dongan.

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p. 601.

of the enemyes, that were ready to gain the bank at the upper end of the forde of Ouldbridge, in despite of the fire that was made on them at something too great a distance by the Irish foot, which were posted near the said forde. The Lord Dungan haveing repulsed those troops to the other side of the river, marched back to his station. But in his retreat upon a high ground, he was unfortunately slain by a canon ball. At the same juncture Sir Neal Oneil on the left with his dragoons did wonders at Rosnaree in stopping the above said ten thousand men near half an hower. But there was no care taken to sustain him : and so he was forced to retreat to his line. In this while the King's army was onely spectator of this fierce conflict between a few regiments of their own, and the whole hostile camp, which was an enequal match. Whence we may judge, that it is easy for an host to gain the victory, where litle or noe opposition is given : and that a hundred thousand men signify nothing in the field, if they are not brought to the combat.

p. 602.

"20. Immediately after Dungan's dragoons retired, Mareshal Schomberg brought down to the forde of Ould Bridge the gross of his cavalry, with orders to push on, and suffer noe check. At this the seven regiments aforesaid of Irish foot observeing they would be soon overpowered, they cryd to their own for horse to sustain them. In the mean while they make a smart fire at the enemyes, and layed them in heaps, as they were entering the waters. But their cryeing for horse was vayn : for they receaved but one troop ; which was as good as nothing.

"21. At this tyme the King remarking from his station, which was at the church of Dunore, that the enemy was gaineing the passes both on the right and left, sent orders to his army to retreat, leaveing the conduct to the Duke of Tyrconnell : and then he himself went off to Dublin, being guarded by some troops of Collonell Sarcefield's horse, and by some troops of Collonell Maxwell's dragoons.

p. 603.

"22. As the King departed, the army began their retreat towards the bourg of Duleek. The left wing with the center went off first : which left wing was posted over against the ford of Rosnaree, the pass being first forced. The French brigade of foot marched in the rear of the center, bringing along with them their canon : by the heelp of which they covered the infantry, while the horse on the said left gave their assistance. The seven regiments of Irish foot, which guarded the great forde of Ould Bridge, not being supported by horse, were also forced to retreat : but were in danger to be intercepted by such of the enemyes, as had traversed first the river, before they joyned their main army ; which the Duke of Tyrconnell, from the right, perceaveing, flew with his regiment of horse to their rescue : as did the Duke of Berwick with the two troops of guards : as did Collonell Parker with his regiment of horse : and Collonell Sutherland with his. It was Tyrconnell's fortune to charge first the blew regiment of foot-guards to the Prince of Orange ; and he pierced thro'. He presently after engaged the Eniskillen horse, bould troopers. At the same tyme the two troops of guards, and the other two regiments of Irish horse signalized themselves ; and were bravely opposed by their enemyes. This gave opportunity to the King's infantry to gett off in safety. 'Twas during these encounters, that one Master Bryen O'Tool, of the guards, discovering his former acquaintance, Marshal Schomberg, near the village of Ouldbridge, resolved to sacrifico his life to the making him away, upon which he, with a few of the guards, and a few of Tyrconnell's horse made up to him : and O'Tool with his pistol shott the Mareshal dead.<sup>2</sup> But, soon after, fighting like a

p. 604.

<sup>1</sup> See "Life of James the Second." By J. S. Clarke, vol. ii. London : 1816, p. 400 ; "Mémoires du Maréchal de Berwick," i. p. 72-75.

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lyon he was slain. By the tyme Schomberg was killed, the Prince of Orange traversed the river with the rest of his army: who near the village of Dunore had some small engagement. For the Irish horse, especially the right wing, fought retreating all along in covering the main body, till they came to Duleek, two miles from the Boyne, where being pressed by the pursuit of the enemy, the Irish army halted, and faced about with preparation for a bloody combat, if sett upon. But the Prince of Orange observing the King's army to make so good a countenance, thought it more prudent to halt, and suffer them to marche away.

"23. The heat of this action lasted not above an hower, where you see that it was but a skirmish between nine regiments without canon or retrenchement, and an army of 36,000 choice men, for the defending and gaineing a few passes upon a shallow river: and after the passes gained, there happened a running fight between a few regiments of horse with the heale of a brigade of foot, and all the said army of 36,000 men for two miles, which shewes the retreat was admirable, considering the superiority of the enemy, and the openess of the ground. The loss on either side was not considerable as to the numbers of men: tho' the King by that litle contention lost the province of Leinster, and part of Munster, being open countryes. There was slain of the loyalists about 500 men. Amongst whom was the Earl of Carlingford<sup>1</sup> a voluntier: by whose death his honour and estate descended to his brother Count Taaff,<sup>2</sup> who was then in the Emperor's service. The Lord [Walter] Dungan, as above-said, the onely son and child then liveing to William [Dungan] Earl of Lymerick; upon which account he was much regretted. Collonell James Dempsey: Major Frank Meara: Captain Richard Plunkett. Sir Neil O'Neil, a brave gentelman, was mortally wounded, of which he dyed eight dayes after in the city of Waterford. Major Thomas Arthur, of Hacketstown was likewise wounded, and dyed in a few dayes. Several other officers were killed; amongst whom were some English gentlemen, Catholicks and Protestants, that had come out of England to serve his Majesty in the Irish warrs. Of these, Cornet Kirk and Captain Chaplain, Protestants, were killed: and Captain James Gibbons, a Protestant, was made prisoner. Lieutenant-Generall Hamilton was also made prisoner, and sent to the Tower of London. p. 605.

"24. Of the enemyes there was slain, as above said, Mareshal de Schomberg, a most expert general, as the Mareshals of France usually are; which was a sensible loss to his own side. This great commander haveing been dismissed by the Most Christian king, because he would not conform to the Catholick religion, he came to Holland, where he engaged in the Prince of Orange his service, as that Prince was preparing to invade England. His body was brought from the Boyne to Dublin, and interred in the Cathedral<sup>3</sup> church of that city. Collonell de la Calimots,<sup>4</sup> brother to the Marquis of Rouvigny, alias Earl of Galway, was mortally wounded, and dyed in a few dayes after. The minister, Doctor Walker, who had been one of the governors of Londonderry against the beleaguer of the Irish, as above mentioned, was here also slain with some other officers, and about a thousand privat men. The tents and the baggage of the Irish for the most part were taken. The army of Orange lay that night upon their arms at Duleek, haveing left their tents standing beyond the Boyne. The Irish army receiving orders from the Duke of Tyrconnel to marche unto the city of Lymerick in the province of p. 607.

<sup>1</sup> Nicholas Taaffe.

<sup>2</sup> Francis Taaffe.

<sup>3</sup> St. Patrick's, Dublin.

<sup>4</sup> Caillémote.

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p. 608.

Munster, they crossed the river Liffey that night at Leixslip, and at Chappel Izard.<sup>1</sup> The next day they marched forwards to Rathcool, to the Naace; to Castledermot, thro' Carlow, and thro' Kilkenny, till they arrived at the said Lymerick in the marche of 15 dayes. There followed them a great number of gentilmen, who had no military employments: and of the clergy; of farmers and tradesmen; as also of ladyes, and inferior women with their children; they haveing an aversion to stay at home under the arbitrary comportment of an heretical or infidel army. The enemy afterwards plundered their howses: took away what cattle was left behind; and seized on their estates and farms. The enemy also committed ('tis a certain truth) some murders in the county of Westmeath, and in the King's County. It is well, that Atheists did no more harm.

p. 609.

“25. The King arrived that evening of the skirmish at his Castle in Dublin: where he passed that night with a heavy heart in the consideration of his misfortune, which I suppose he reputed to be in the loss of the city of Dublin and province of Leinster, rather than in any loss, his army sustained. For this loss was nothing, as you have seen. And noe fault could be attributed to the army: because the army was not tryed. And such of it, as were, did merveills. In consequence, we are bound to believe, that the rest would do as well, if they were brought to the test, which they did actually show in their retreat, where their pursuers were ten thousand superior: yett could not hurt them, tho' the ground was open. Hence we may probably in ferr, that the King's army would have obtained the victory, if it had been brought to combat at the Boyn, considering the advantage they had by that river. Which inference is confirmed by their behaviour in the first siege of Lymerick, and at the after battle of Aughrim, of which beneath. From the whole you may well be convinced, that the army was staunch in the fighting part: and that the miscarriage in gaining the end of the warr, proceeded from the ill management of some of those, who had the directive part. Wherefore we must conclude, that the King had noe solid reason to quitt Ireland upon the loss he sustained at the Boyn in his troops. For the army was rather somewhat stronger at the end of that petty conflict, than before. And at its arrival before Lymerick, it might have been reinforced by ten thousand resolut men at the least: and might have there given battle (as 'twas expected) with the highest probability of victory. However, the King resolved to goe back to France. And so the next morning of the Boyn, being Wednesday the 2<sup>d</sup> of July, his Majesty departed from Dublin, being accompanied onely by a few gentilmen; and travelled thro' the county of Wicklow into the county of Wexford: and came to the extremity thereof, viz. to the fort of Duncanon:<sup>2</sup> where he took shipping for France, haveing found a French man of warr in that harbour. In his way the King called in at Kinsale; from whence he wrote a letter to the Duke of Tyrconnel; whereby he impowered him to assume the administration of the civil and military affayres: and to use his discretion, either to make peace with the Prince of Orange, or continue the warr. Within a few dayes after, his Majesty landed safe at Brest: and from thence he arrived at St. Germain's, being the messenger of what fortune happened unto him at the Boyn.

p. 611.

“26. The next morning of the skirmish at the Boyn, the Prince of Orange sent Brigadier La Melloniere with a thousand hors and dragoons,

<sup>1</sup> Chapelizod.

<sup>2</sup> Naas, co. Kildare.

See “Life of James the Second.” By J. S. Clarke, p. 403.

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and a body of foot with eight pieces of canon, to summon Drogheda: wherein there was 1,300 Irish souldiers, and the Lord Iveagh governor thereof: who surrendered the town, on condition that the garrison should marche to Athlone without arms. This was a poor defence of a town, that gave work enough to Oliver Cromwell<sup>1</sup> to take it in the year 1649. On the 4<sup>th</sup> day of July the Prince of Orange sent the Duke of Ormond and Monsieur d'Overquirk to Dublin with nine troops of hors, for to secure the tranquillity of the city. On the 5<sup>th</sup> he marched his army to Finglass a pritty village within two miles of Dublin: where he incamped. On the 6<sup>th</sup> being Sunday, he made his entry into that city, being attended onely by a few of his great officers: and went to the Cathedral<sup>2</sup> church, for to hear a sermon. On the 7<sup>th</sup> the Prince issued a declaration<sup>3</sup> dated at Finglass: wherein he promises to all farmers and tradesmen his protection of their persons, of their goods and chattels, if they would remaine at home, and follow their calleings. Yett this promise was afterwards ill performed by his officers and souldiers both in their marches, and in their winter-quarters in several places. But the estated gentilmens the Prince excluded from his mercy. This was a foolish edict: and the first of this kind, I believe, that eaver had been. For commonly a Prince entering into a country in order to conquer it, doth in the first place encourage the principal persons to submitt unto him. And when these are gained, the rest do follow in course. I suppose the Prince of Orange was perswaded to goe against reason in favour of his great officers, who would have the Irish Catholick lords of land to be rejected from all expectation of recovering their estates, because the said officers were sure in their own conceits that the Irish army would be overcome at last: and because then they might have those lands by the Prince's grant. This opinion of the officers was also foolish; because the event of the warr is allwayes uncertain, tho' there be an inequality between both armyes; as all understanding persons will allow. Neither could these officers draw any inference for themselves out of the litle tryal at the Boyn. For their own loss was greater, tho' but a part of the Irish army fought their whole: and if the rest had been brought to combat, and had fought as their companions did (which we believe they would have don) there would likely have been an end of Orange his usurpation in that kingdom. Besides this: these officers could not be ignorant that the Irish might have a reinforcement by the tyme they came to Lymerick: where they might with greater advantage give the second battle. If their general had been pleased, he might have called to his assistance before the walls of Lymerick 15,000 good men by draineing the garrisons, and by summoning the voluntiers. Wherefore it was a great imprudence in the Prince of Orange to hazard the conquest of Ireland upon that syery conceipt. And, de facto, he soon found his mistake, to his stinging grief, at the walls of Lymerick: where his great-triumphing army was shamefully baffled by an indifferent proportion of the Irish forces in defending a most feeble town, as we shall see beneath. The like mistake his officers found in the following year at Aughrim, where they had noe title to the victory all the day, till a meer chance gave it them in the evening. In fine, they found their mistake at the second siege of Lymerick, where the Irish landlords secured unto themselves their estates by their sword.

<sup>1</sup> Original letters and documents, in connexion with the siege of Drogheda by Cromwell in 1649, will be found in the "Contemporary History of Affairs in Ireland, 1641-52." Dublin: 1879-80.

<sup>2</sup> St. Patrick's, Dublin.

<sup>3</sup> See "Impartial History of the Wars of Ireland," by George Story. London: 1693, p. 93.

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p. 615.

"27. The Prince having refreshed his army, and provided all things necessary for his further expedition, began his march from Finglass towards Lymerick on the 9<sup>th</sup> of July. At his decamping, he sent Lieutenant-General Dowglass with three regiments of horse, two of dragoons, and ten of foot with ten field pieces and two small mortars, for to take Athlone on the river Shanon, 50 miles from Dublin, it being the great-important pass into the province of Connaught. The Lieutenant-General came before the place on the 17 of July: and sate down on that side of the town, which lyes in Leinster, and in the county of Westmeath. He immediately summoned the garrison to yeald. But the governor,ould Collonell John Grace, knoweing his own strength and the enemy's weakness, rejected the summons, upon which Douglass made some effort to take the town unto the 25<sup>th</sup> on which day he marched off, in order to joyn the Prince of Orange in his way to Lymerick, after looseing above 40 men slayn, and 300 men by sickness.

p. 616.

"28. The Prince of Orange being arrived with his army at Castledermot in the county of Kildare, sent from thence Brigadier Eppingher<sup>1</sup> with a thousand hors and dragoons into the county of Wexford, for to secure the marittim town of that name, and head of the shire: and afterwards to oblige the fort of Duncannon to surrender. They found Wexford abandoned, and in it a store of provisions and ammunition. Which place might have been easily fortifyd, so farr as to make a smart resistance against an army of twenty thousand men. General Cromwell could not take it in the year 1649, but by the treachery of the governor of the castle.<sup>2</sup> From hence Eppingher went to Duncannon: which is the second fort of the kingdom, and lyes at the mouth of an excellent harbour. It is capable to make a considerable-besiegeing army to pay dearly for the expugnation thereof: and therefore it seems ridiculous, that a petty handful of men should presume to freighten it. However, Brigadier Eppingher summoned it to yeald to the good fortune of the Prince of Orange. Upon this, the Governor, Collonell Michael Bourk, haveing a smart garrison, made some tergiversation in his resolutions. But at last, considering his scarcity of victuals, as he afterwards alleadged, and the want of sufficient powder, he condescended on the 26 of July to give up the place on condition that he and his garrison should march to Lymerick with arms and baggage.

p. 617.

"29. In the mean while the Prince of Orange came to Kilkenny with his army on the 19 of July. This town is the head of a county. It gave in Cromwell's dayes some resistance to his forces:<sup>3</sup> but now 'tis abandoned. From hence the Prince sent on the 20th Count de Schomberg with a party of hors to possess Clonmell, a pritty town on the river Shure in the county of Tipperary and province of Munster. It was besieged by Oliver Cromwell:<sup>4</sup> where he lost more men, than were lost of his in all the sieges of Ireland. But Schomberg findes the gates open, and noe garrison therein. On the 21 the Prince of Orange decamped from Kilkenny, and came to the town of Carrick, on the river Shure: where he encamped. The next day he sent Major-General Kirk with a party to summon Waterford. This is a citty seated on the river Shure, to which the tyde arrives, and several miles beyond it: and therefore it makes a handsom harbour. It is the head of a county in the province of Munster: and is a place of great importance. It might have made with a good garrison a noble defence against a grand army. At this tyme there was two regiments of foot therein: that of Colone

<sup>1</sup> Abraham d'Eppinger.

<sup>2, 3, 4</sup> See "Contemporary History," cited at p. 137.

Barret Governor thereof; and that of Colonel Charles Kavanagh. Major-General Kirk having sent in his summons, an answer could not be suddenly given, by reason that there rose a difference between Barrett and Kavanagh about giving up and defending the place. At last it was agreed to surrender the town on condition, that the garrison should be conducted with their arms and baggage to Cork: and thereupon it was delivered to Kirk on the 25th of July. Here the Prince of Orange may say, as Julius Cæsar did in his expedition of Zela,<sup>1</sup> *veni, vidi, vici*: so many towns hath the Prince taken without resistance. Which if each of them had given, Orange had been undone. For the warr of Ireland would have been prolonged: and consequently the Confederacy abroad would have been forced within two years at the farthest to make a peace with France for want of the assistance of England; which was all employed against the Irish. By which peace all the power of France would fall upon poor England, to her chastisement for her frequent rebellion; and to the dethroning of that unnatural usurper. Here I must owne my admiration, that gentlemen should take upon them to be governors of towns, when they know that they are not able to defend them. They should be so honorable in their dealings, as to tell the Prince so much, who employed them; to the end, that the nation, who depends upon their defence, may not be destroyed.

p. 618.

"30. After the taking of Waterford, the Prince of Orange went to see it: and soon returned to his camp at Carrick.

"31. Here and at this tyme the said Prince received an account out of England, that the French fleet had gained a great victory over the English and Dutch navy in the channel on the 30 of June and that afterwards a body of Frenchmen landed in the west of England and burned some places on the coaste. This struck the Prince into a huge freight. Upon which, having ordered some troops to be embarked for England, as one of his troops of guards: Count Schomberg's horse: Colonel Matthew's dragoons: Brigadier Trelawny's and Colonel Hasting's foot; he on the 27 of July left the army at Carrick with orders to marche to Limerick, and he went to Dublin to take shipping there. The Prince lay at Chappel Izard, a pallace of the King's at the west end of the city. But receiving soon a fresh account, that the French at their landing did noe great harm; and went aboard again, and so off to sea; he altered his mind, and returned to his army on the 4th of August which he found encamped at Goulden Bridge within 22 miles of Limerick. In four dayes after, viz., on the 8 of August, Lieutenant-General Douglass with his party from Athlone, joyned the Prince and his army at Carriginish within four miles to Limerick.

p. 620.

## VII.

## [SIEGE OF LIMERICK BY WILLIAM III. A.D. 1690.]

"32. This is a city<sup>2</sup> situated on the Shanon, the first river of the kingdom: whither the tyde mountes from the ocean 60 miles within the land. It was then a weak town, having noe outward works, but a toy of a pallisade before a litle part of the wall: nor a rampart within. The wall is of an ould standing, and farr from being thick. Hither the Duke of Tyrconnel and the Irish army were come about three weeks before from the Boyne. A litle after their arrival, there was a report spread, that

<sup>1</sup> Zela] Alia, MS.

<sup>2</sup> A reproduction of a French map of Limerick appears in "Facsimiles of National MSS. of Ireland," Part IV.-2, Plate lvi. London: 1884.

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the Irish would putt their back to the walls of Lymerick, and there engage in a regular fight with the enemy for the whole kingdom. Which report rayseed the courage of the army, and invited noe small number of gentillmen, burgesses, and farmers, who flew before the enemy out of Leinster, Munster and Ulster, to approach to Lymerick, in order to share in the glory of that day. There was a strong probability for their prevalence, considering their advantage in the ground, their numbers much increased, and their resolution highly incensed by their loss at the Boyu.

p. 621.

"35. But the Captain-General, the Duke of Tyrconnel, took up contrary desigins; which he would fain putt in execution. His Grace had a discretionary power, as I said above, left him by the King, to make peace, or continue warr, as he should see it most conducing to his Majesty's interest, and his loyal people's welfare. Upon which he considers thus with himself: at Dublin two years before he was for a warr, and was the principal author of rayseing that great army before mentioned, in order to reinthron the King. He was encouraged to it by the assurance of haveing his Majesty soon in Ireland: by the expectation of seeing a sufficiency of money brought from abroad: by the hopes of haveing reinforcements of trained men out of France: by a strong probability of haveing thereupon good success: and by other motives. But now for different reasons he changes his first opinion. His Excellency observed, that the great army at first rayseed was disbanded to almost the moyety: he considered the ill success of the remaineing army at Derry: their miscarriage at the Boyu; by which the province of Leinster, and the best part of Munster was lost.

p. 622.

that the King returned to France: that the French brigade was goeing away: that the brass money, which hitherto had been the support of the army, was brought to noe value: that there was noe stores of provisions: that the province of Connaught, which remained unto them, was not able to maintain the army, and the vast multitudes of people entered thither from Munster, Leinster and Ulster: that Lymerick was a very weak town, yett was their chief defence against the enemy: that, if the Prince of Orange should be beaten in a pitched battle; England with the assistance of Holland, would send another army, and another after that, rather than be at the mercy of the King, if he should be restored by the Irish: that the Most Christian Monarch was not in a state to send them competent aydes, by reason that he had so many enemyes, as kept all his armyes at work: that, while the Catholick army was entire, it was the proper tyme to gett advantagious conditions from the Prince of Orange, who would readily grant them, for to secure his crown: that in fin it was not prudence in the abovesaid circumstances, and by a strained undertakeing to run the risk of destroyeing the lives of the people, the expectations of their estates, and the hopes of enjoyeing their religion. Whereupon the Duke made this his mind known to the mixt council of state and warr then present at Lymerick: and desired their concurrence to make a pacifick end of their troubles; leaveing to Providence the restoration of their King, since they are not assuredly able to compass it against the powers of England, Holland, Scotland, and the Irish Protestants.

p. 623.

"34. Against this opinion of Tyrconnel there rose an opposition: which was sustained with vehemency by a few officers of the army, and namely by Major-General Sarcefield,<sup>1</sup> by Brigadier Henry Lutterel, by Collonell Gordon Oncl, and by others. Zeal for King and country I

<sup>1</sup> The name of Sarsfield is throughout the MS. written in the above form.



highly commend,—but it should be exhibited with discretion. Over-  
audacious enterprizes are condemned by reason. What these caballing  
gentlemen can say for continueing the warr against the sentiment of the  
Duke, is reduced to these three points: that they have a sufficiency of men:  
that they have courage enough: and that they will have out of France  
a consummat general to govern their army: and therefore they will  
likely have a happy end. The truth of the three premised points I cannot  
deny. For all their losses hitherto since the beginning of the warr, are  
to be attributed to mismanagement, which if for the future they can  
rectify, I do not doubt but they will carry the day, supposing all other  
requisitts be supplied, of which immediately. For their not takeing of  
Derry proceeded from the want of battering-pieces: of which if the  
army had a dozen, they might have well made themselves masters of  
that town in 12 dayes after trenches opened. The loss of Croom-castle  
fight was caused by mistaking the word, that the commanding officer of  
the Irish gave: by which the strength of the Lord Mountcashel's army  
was drawn from the field. The looseing of the battle of Cavan was  
occasioned by ordering the Irish to attack the enemyes within ditches  
and hedges. The faylure at the Boyn sprung from several defects of  
military management, as 'tis easily known out of what we have said  
allready. And so of the rest. p. 624.

“ 35. But allowing that the Irish army is strong and couragious enough,  
and ruled by a most expert general: Is this sufficient to recover Ireland  
from the hands of so powerful an enemy, as we described above? Is  
not money, the sinew of warr, altogether wanting? It is so true, that  
it was the want of it, which chiefly putt an end to the Irish warr in the  
yeare followeing. And on the contrary, if there had been enough of it,  
the Irish army might have been so farr augmented from the very pro-  
vinces of Ireland, which were under the jurisdiction of Orange,  
that they would have been able to drive the enemy into the sea.  
Neither was there sufficient provision within the Irish quarters to feed  
the army and the crowds of people gathered therein from all parts of the  
realm. The misery of which want they soon felt after the first siege of  
Lymerick. For souldiers have been seen to begg: and officers, have not  
tasted of bread in five weeks. And water hath been the beverage of the  
nobler persons. How could it then be expected that men would joyn  
the army, when there was neither money, nor necessary food to be had?  
Not any subjects on earth: would undertake warr for their King at the  
rate the Irish did. p. 625.

“ 36. There was another powerfull reason against prolonging the warr; p. 626.  
which we touched above; and which we here repeate. The anti-  
Tyrconnel faction layd the preservation of Lymerick for the fundation  
of keeping up the warr. If it should be taken, all was lost, noe body  
doubting of it. If they could retain the town, they would have tyme  
enough to prepare a considerable strength against the next campagne.  
But now is the quere: How could the caballists judge it probable, that  
they would preserve with part of their army so very weak a place against  
a potent-triumphing host, that was furiously bent upon finishing the warr  
by the expugnation of that fortress? Certainly their undertakeing (on  
which depended the welfare of the nation) was temerarious after the  
manner they proceeded. For they should have kept the whole army  
within, and without the citty in the county of Clare-side, haveing first  
made retrenchments at the forde above the town, for to hender the  
enemy to pass the river, and to cut off the communication between the  
garrison and their camp: and this to the end, that the garrison in the  
day of a general attack, might be sustained by their army.

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p. 627.

"37. Notwithstanding these reasons: the factioneers must have their will: and on they will goe with the warr, relyeing upon expected provisions out of France, and upon French Generals: by whose wise management future miscarriages will be prevented. Yett in the mean tyme I must say, that other officers in great trust may marr all, if they prove not careful and faithful in the discharge of their duty, tho' the General be never so knoweing and vigilant, as we learn in historyes of warr end as we shall see in the present warr, before it be ended.

p. 628.

"38. The Duke of Tyrconnel finding, that he could not gett a concurrence to his dession of makeing a peace with the Prince of Orange, he disposed of the army thus. He left about 8000 men (of which som regiments were not armed) for the defence of Lymerick: the Governor whereof he appointed Monsieur Boisselau:<sup>1</sup> and gave him as assistants the Duke of Berwick, Major-General Dorington, who was also Collonel of the regiment of Guards: Major-General Sarcefield: Brigadier Henry Lutterell: Brigadier Wauchop: and Brigadier Maxwell. The rest of the forces he sent into the province of Connaught. The cavalry remained a while hard by in the county of Clare under the command of the Duke of Berwick and Major-General Sheldon. This being don; the Duke of Tyrconnel departed the town, and went to Galway 30 miles from Lymerick, to provide for the shipping off for France the French brigade, who would not stay any longer in Ireland, because the King was gon, and they gave the kingdom for lost after the miscarriage at the Boyn, where they struck not a stroake, but what they did in the retreat.

p. 629.

"39. By the tyme Tyrconnel went off, the Prince of Orange invested Lymerick, viz., on the 9<sup>th</sup> of August. He sent that same day a summons of surrender to the town. But it was rejected by the Governor. The next morning the Prince sent Major-General Ginckle and Major-General Kirk with a great body of horse over the river into the county of Clare for the sake of forrage, and for to outt off the communication between the Irish cavalry and the garrison. They passed the Shanon near Sir Samuel Foxon's howse two miles above the town, which the Irish might have prevented by makeing retrenchments, and leaveing strong guards thereat with a few pieces of canon. The Duke of Berwick hearing of their trajection, ordered the corn within ten miles of the city to be destroyed, that the enemy might not make use of it. This action proved prejudicial to the Irish in the winter following, by reason it caused a great scarcity of grain. Then the Irish cavalry retreated to the borders of the next county, viz., of Galway: and the English horse returned that evening to their camp.

p. 630.

"40. The next day, viz. on the 11<sup>th</sup> of August a deserter came from the English army into the town, and informed that there was eight pieces of battering-cannon, with ammunition, provisions, tinboats, and other necessaryes on the roade from Dublin coming to the Prince of Orange for the siege. Major-General Sarcefield being desirous to keep off the beleager of Lymerick for the present season, flew that night to the horse camp, and offered his service towards the intercepting of that great convoy. Upon which there was given him 500 horse and dragoons: with which party he hastened over the Shannon into the county of Tipperary, and thence into the county of Lymerick: and without any rest marched till he overtook the convoy in two dayes after, viz. on the 13 of August, at a little ould castle called Ballinedy within seven miles

<sup>1</sup> See ante, under page 578 of the MS.

of Lymeryck. He surprized it in [the] night-tyme. He bursted the canon: he burned the provisions and ammunition, destroyeing every-thing: and carryed off som money, having killed about 60 of the souldiers and waggoners, with noe loss of his own.<sup>1</sup> For this action the Duke of Tyreconnell recommended Sarcefield to the King's favour, and his Majesty thereupon, and for other considerations, sent a patent into Ireland in five months after, creating him Earl of Lucan.

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"41. This loss of the artillery struck the Prince of Orange into a great fury; because it retarded the siege. However he gott other canon, that served his turn, by reason, that the wall was then without rampart, as above said. On the 12 of August Brigadier Stuart was sent by the Prince with a party and four field-pieces to take Castle-Connel, a strong-hould within three miles of Lymerick close to the Shanon. After a few dayes' siege, Captain Barnewal, the Governor, was forced to yeald himself and 120 men prisoners of warr for want of water. p. 631.

"42. On the 17 the trenches before the town were opened. The chief battery was soon carryed within a pistol shott to the south wall of Irish-town. On the 20<sup>th</sup> the Prince ordered a detachment to attack a small fort of the Irish, called the Stone Fort, in which there was about 100 men. The action on both sides was brisk. But the assaylants gained the place, haveing killed Captain Edmund Kelly and the major part of the defendents; and haveing made a Captain and the rest prisoners; with a greater loss on their own side in the slain. Within an hower after a strong party of foot of the besieged made a sally for to regain the fort. The dispute was sharp for a little while: but at last the Irish were forced to retreat at the approach of the enemy's horse, haveing lost some men; as the English did of theirs; amongst these was Captain Neednam and Captain Lacy. p. 632.

"43. From the 17 to Wednesday the 27 of August, the mortars and canon of the besiegers played furiously. The mortars did not the dammage, which was expected. But the canon made a large breach in the wall; whereupon orders were given by the Prince of Orange in the morning of the said 27<sup>th</sup> to the army to prepare for a general attack. Five hundred grenadiers were to begin: who were to be supported by seven regiments of foot: and in like order other bodyes were appointed. The garrison was much fatigued by frequent-hard duty. However, they must reject conditions. But for the more easy and surer defence against the grand attack, which was soon expected, the Governor had timely a retrenchement made within the breach from side to side. Behind this work he placed a few pieces of canon and his batallions. He ordered some companies to stand [within] the breach when attacked. Part of his men, who were on duty the day before, he did not call to the action at the beginning; tho' in the heat thereof they were brought into play. Thus were both sides prepared to gain and defend the town: to finish and continue the warr: to acquire and preserve all. If the Irish should be that day overpowered, their all was gon; their religion, their property, and liberty; because they had noe possibility, after the loss of this town, to make conditions for themselves; and consequently the oppositt party would have all. The consideration of which matter obliges me to think that the Irish commanders hazarded too farr the safety of the nation in placing it on their defence of a very weak town without all their forces against so puissant an army; and this without resolveing to call for a p. 633.

<sup>1</sup> See "Life of James the Second," by J. S. Clarke, vol. ii. p. 416; and "Impartial History of the Wars of Ireland," by George Story. London: 1693, p. 119.

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p. 694.

parley, when they should see a wide breach made in the wall, and a numerous host ready to mount it. Such an obstinat defence is against the usual custom of garrisons; who come to a capitulation when they see their walls down, and a powerful enemy prepared to enter the town. I am of opinion that indifferent persons endowed with the military science, observing the besieging army, and the breach, and the garrison, would lay two to one that the town would be carried by storm. So that I am apt to believe, that providence had a hand in the preservation of Lymerick that day for the sake of the loyal people, who suffered so much for justice, to the end, that they might not be quite destroyed.

p. 635.

"44. But to goe on: the Prince of Orange commanded the signal for attacking to be given between 3 and 4 of the clock in the afternoon, which being done his men went on bravely: and after some loss they mounted the breach. The first that did it was Captain Farlow, who noe sooner gained the honour, but he gott his death on the place: where the conflict was bloody. However, the assaylants by their numbers pre-vailed, and entered the town, and the circumference of the retrenchment. 'Twas here the defendents putt all their might: and their commanding officers signalized themselves in managing of this last contention wherein their all was at stake. Whereupon the souldiers were ordered not to fire, till the pound was full, as 'twas said: and then they poured in their shott amongst the ingressors from front, right, and left so furiously, that they putt the liveing to a stand: and seconding seasonably their fire, forced at last the enemyes to face about to the breach and fly. The Irish pursued violently, and drove them out of the walls, and into their works, making a great slaughter.<sup>1</sup> The whole action continued three howers with violence on both sides. In which there was killed of the besiegers, souldiers and officers, at least two thousand, besides the wounded. Of the besieged not above 100. Amongst whom was Captain Lawless; and Captain Smith of the Guards. But Captain Patrick Dowdall was slain a few days before in a sally.

p. 636.

"The next day there was a cessation for buryeing the dead.

"45. On Friday 29, the Prince of Orange called a council of warr: wherein he proposed to make a second attack: which should be undertaken by the second line of the army, that was fresh: and the first line, that had suffered much, should sustain them. But the majority of votes carryed it in the negative; which was improved by the Irish Protestants alleadgeing that, if the army were foyled in the second assault, the Irish Catholicks would regain immediately the whole kingdom: and therefore in this doubtful case, it was more prudent to proceed slowly in the conquest of the nation, than to hazard all at one effort.

p. 637.

"46. This result incensed most highly the Prince of Orange: which he testifyd by his discourse. Whereupon he made an order, that the army should decamp within 2 days, and goe into winter-quarters. As for himself, he would return into England; leaveing Count de Solmes Commander-in-chief of the army. He appointed the Lord Sidney, Sir Charles Porter, and Thomas Coningsby, Esquire, Lords Justices of Ireland. So having settled his affayrs, he went away the next day, being Saturday the 30 of August, for Waterford, being accompanied by Prince George of Denmark, the Duke of Ormond, and other persons of quality. From thence he sayled for England on the 5th of September.

"47. On Sunday morning, the last of August, the English army marched off from Lymerick with some precipitation, as feareing a pursuit

<sup>1</sup> See "Mémoires de Dumont de Bostaquet," Paris: 1864; and "Facsimiles of National MSS. of Ireland," Part IV.-2, Plate xci. London: 1884.

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from the Irish. But the Irish garrison were so unfortunat, as not to have their cavalry and the rest of their forces near them, which if they had, it is probable, that they would have given soe small blow to the retreating enemy, being much dishartened at their losses and disappointment before Lymerick; which opinion is confirmed by intelligent persons. The English army came to Tipperary, 14 miles from Lymerick, on the 6th of September. From hence they were dispersed into winter quarters. Count de Solmes, the General, took his at Cashel.

"48. The Duke of Tyrconnel being at Gallway, haveing received p. 638.  
an account of all that had passed at Lymerick, rejoyced very much: as did the French brigade: who now would be willing to stay in the kingdom, since they had hopes of retrieveing it by the preservation of Lymerick. But the fleet being com for them, they durst not remain without new orders. Tyrconnel returned to Lymerick, to settle affayrs there, where he appointed Major-General Dorington Governor, because Monsieur Boisselau<sup>1</sup> was to goe into France. He ordered the army dispersed up and down to enter into winter quarters, and the Collonells to recruit, who had not their regiments compleat. He also gave commissions to rayse a few regiments of foot for the next campagne, being contented to continue the warr, seeing he saw some prospect of success, and that he could not gett a concurrence of the faction in the army to make a peace with the Prince of Orange, who would now grant better conditions than before the siege of Lymerick, yea, most ample articles, as feareing the warr would be prolonged to the undoing of him, because the Confederacy abroad might in the interim be forced, p. 639.  
not haveing the assistance of England, to make peace with the King of France: the consequence of which would be the King's restoration. The Duke moreover constituted the Duke of Berwick Governor-General of the nation in his absence, because he was goeing into France aboard the fleet, that carryed the French brigade, for to justify his proceedings unto his King, and to begg of the Most Christian Monarch, what aydes he could afford. At this same tyme the cabal resolved to send agents in behalf of the nation to St. Germain, for to satisfy th<sup>e</sup> King, in their opposing the Duke of Tyrconnel's sentiment; and for to obtain a French General, and other general officers, in hopes to carry on the warr with better success. The agents were three: Doctor Creagh, the Catholick Bishop of Cork; Collonell Nicholas Purcell, of Loughmoe; and Collonell Simon Lutterel of Lutterelstown. The Duke of Tyrconnel haveing settled affayrs at Lymerick, went to Gallway, where he embarked along with the French brigade about the 12 of September. In a litle while p. 640.  
after, the Irish agents took shipping at Lymerick.

"49. After Tyrconnel was gon: Major-General Sarcefield being desircus to gett some quarters in Leinster, went with a party about the 14 of September over the Bridge of Banhoer,<sup>2</sup> to besiege the castle of Byrr in the King's county, garrisoned by a company of Collonell Tiffin's regiment. But Major-General Kirk coming with a greater force to relieve the place, Sarcefield was obliged to march off. 'Twas about the end of this month, that Count de Solmes was called for into England by the Prince of Orange: and Baron de Ginckle was made Lieutenant-General, and Commander-in-chief of the English army: who had his quarters at Kilkenny.

"50. But before this it was judged to be most conducing to the Prince's affayres in Ireland, to take the citty of Cork, and the fort of

<sup>1</sup> See ante, under page 578 of the MS.

<sup>2</sup> Bannagher.

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p. 641.

Kinsale in this very season : for which end preparations were made in England. Whereupon the Prince of Orange being arrived in London gave orders, that the forces designed for this purpose should be embarked immediately for Ireland under the command of the Lord Churchill, made Earl of Marlborough by the Prince. These forces were, Marlborough's regiment of fusiliers; that of Brigadier Trelawny; that of Princess Anne: and those of Collonel Hastings; of Collonel Hales; of Sir David Collier; of Collonel FitzPatrick; a hundred men of the Marquis of Winchester's, created Duke of Bolton by the Prince; 200 of the Earl of Monmouth's; the two marin regiments of the Earl of Torrington, alias Admiral Herbert; and of the Earl of Pembrock. With this body of men, in a fleet of eighty ships, great and small, my Lord Marlborough came on the 21 of September into the Cove or bay of Cork. The next day, the fleet passed up to the town by the great island on their right, and a litle insignificant fort on the left, ship by ship, by reason the streight was so small: which fort was soon destroyed by the canon of the men of warr, as they sailed by. That evening, the troops were landed hard by the town: and they invested the same. In a day or two followeing, Major-General Scravemore and the Duke of Wirtemberg joyned them from the county of Tipperary with 1,500 horse and 4,000 foot, haveing received orders a litle before, to that intent. The Governor of Cork was Collonel Macguillicuddy: who had 4,000 men for garrison. He held out to the 28 of September: at which tyme he was forced to yeald the town, and the garrison to be prisoners of warr, for want of powder: which the enemy knew the day before,—a strange neglect in business of highest consequence: and an usual defect in the management of this warr, as I have often mentioned. The loss of so many men was noe small weakening of the Irish army: and the loss of that citty was very sensible to them; because thereby they lost the great county of Cork, as large as any other two countyes in the kingdom: they lost part of the county of Kerry; and part of the county of Lymerick: in which tracts of land the greatest part of the King's forces might for that winter subsist.

p. 643.

" 51. After Cork was thus taken, the garrison was transported into England. But, before the English fleet quitted the harbour, one of the prime men of warr was blown up by its own powder: which took fire thro' heedlessness of those, whose office it was to look to the ammunition. In this vessel perished, among the rest, some Irish officers; and namely Collonel Charles Kavanagh, of the county of Wexford; and Mr. John Welsh, of Pilltown in the county of Waterford. Some were saved by being flung in shallow water near the shore; amongst whom was Collonel Barret, of the county of Cork: and a young son of Collonell Kavanagh's. 'Twas a deplorable disaster. When the fleet arrived in England; the prisoners of the chiefest consideration were putt into the Tower of London; as, the Earl of Clancarty; the Earl of Tyrone, who dyed therein; the Lord Baron of Cahir; and Collonel Mackillicuddy, Governor of Cork. The number of the slain, at this siege, was but little on either side. The English lost the Duke of Grafton, natural son to King Charles the Second. He was wounded, and dyed the 9th of October followeing.

## VIII.

### THE BATTLE OF AUGHRIM, A.D. 1691.

p. 679.

" 19. The loss of Athlone on the 30th of June rises up in judgement against the opponents of Tyrconnel in his opinion: which if followed,

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would have preserved that town, and in sequel the province of Connaught, as all now do confess. When the newes of this misfortune came to the Duke of Tyrconnel, then at Lymerick, he groaned thereat: and redoubled his sorrow, that he was so unfortunat as not to be believed, when he proposed clear and sure wayes of saving his country from a total ruin. However, he must needs again deliver his opinion concerning the operation of the remaineing campagne. Which is: he would not now lay the kingdom upon a single battle, haveing heard of such a dessigne: but he would make a defensive and dilatory warr in expectation to be superior the next year by succours out of France. In the interim, and offhand (the foot being brought to Lymerick) he would send the Irish cavalry over Banhoer bridge into the province of Leinster, for to bring away from thence great booty: and also recruits from the Catholic inhabitants. This enterprize would oblige General Ginckle to send his hors after them, for to secure Leinster, from whence he had his sustenance. And his hors being gon; his infantry could not stay behind: and so Connaught would be still left to the Irish. There was noe reason to fear, that the Irish horse would be in danger. For being lighter, they would fatigue the heavy cavalry of the English host: and they had allwayes, upon a necessity, a safe retreat into Lymerick. p. 680.

"20. But General St. Ruth, knoweing that he could not well justify his looseing of Athlone at the head of a considerable army before the King, and his own royal master, thought it not fitt to pursue the sentiment of Tyrconnel: and so he chose to putt the kingdom upon a fayr combat, being unalterably resolved to bury his body in Ireland, or regain it speedily. Whereupon, observeing the strength of his army, he commanded the same to decamp from Athlone in the afternoon of that day,<sup>1</sup> wherein it was taken. He marched towards Lymerick: and proceeded with small marches, untill he came a litle beyond the village of Aughrim, 20 miles from Athlone, and 30 from Lymerick, in the county of Galway. Where vieweing the ground, he judged it convenient for his dessigne: and so fixed there his camp in wayteing for the enemy. His army fronted Athlone to the east: and Lymerick was in the rear, and to the west. Before his front he had a morass: over which foot could come, but not horse. At each end of this morass, there was a passage; thro' which the enemys horse could com to his right and left flanck. That on the right was a litle forde caused by a stream issueing from the morass. That on the left was an ould broaken causeway, onely large enough for two horses to pass it at a tyme; and was 60 yards long. Beyond this causeway was the castle of Aughrim on a line and on the left within 40 yards: into which St. Ruth putt that day Collonell Walter Bourk, and two hundred men. He marshalled his army in two lines. p. 681.  
The cavalry on his right was the regiments of the Duke of Tyrconnel; of the Earl of Abercorn; of Collonell Edmund Prendergast, before this of Sutherland, besides dragoons. This wing was to see that the enemy's horse did not breake in on the right of the army thro' the pass of the forde, and thro' the narrow ground lyeing between two morasses after passing the forde. For the English had double the number in cavalry: tho' the Irish had some advantage in the infantry. 'Twas here Lieutenant-General de Tessé, and Major-General Sarcefield, now Earl of Lucan, were posted. The other Lieutenant-General, the Marquis D'Usson, after the siege of Athlone went to Galway. On the left the p. 682.

<sup>1</sup> 30th June, 1691.

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p. 683.

Marquis of St. Ruth placed the Earl of Lucan's regiment of horse, and those of Colonel Henry Lutterel, of Colonel John Parker, and Colonel Nicholas Purcell, with a body of dragoons. The Lord of Galmoy with his regiment was putt behind the second line of the foot, in the nature of a reserve for to answer occasions. The conduct of this left wing was given to Major-General Sheldon: the first line of which Brigadier Henry Lutterel commanded. Their buisiness was to defend the pass of the causeway: near to which, for more security, there was sett two regiments of foot. Close before the first line of the Irish infantry there was a few ould ditches; which were serviceable to them at the first charge of the enemy. The management of the infantry was assigned to Major-General Dorington, and to Major-General John Hamilton. Thus was the disposition of the army. Noe doubt St. Ruth shewed good skill in chooseing ground, and in rangeing his host for this fight, where his all, and the all of the nation lay at stake. The day before the combat he pronounced some words, wherein he manifested his desire, that all men would withdraw, and reserve themselves for garrisons, who were sickly, or unable to fight, as they should do; because he expected on the morrow to come to an engagement.

p. 684.

"21. The day Athlone was taken, the English army and the Protestants of the town, made great joy for so unexpected a victory: in gaineing of which they own to have spent nigh fifty tun of powder: many a tun of stones shott out of mortars: 12,000 canon-bullets: and 600 bombs: which is a great expence. So haveing rested here for some dayes, the army decamped on the 10th of July, and marched towards the Irish camp. On the 11th it came to Ballinasloe, three miles from Aughrim. The next day being Sunday, it arrived at Aughrim a little after six in the morning: where haveing rested a little while, the whole army was drawn up in two lines of battle. The Irish at that juncture were assisting at the sacrifice of mass: and a litle after prepared for meridian repast. But General St. Ruth observeing the enemy a-rangeing in order for fighting, commanded his men to be marshalled according as we mentioned above.

p. 685.

"22. Both sides being fully prepared, action began a little after eleven: which mostly consisted in the playeing of the artillery, and in skirmishes for gaineing and defending some advanced posts and litle passes towards the right of the Irish: and which lasted thus till about six in the evening, when the main bodyes deeply engaged. In that while, the English were first repulsed: and afterwards they acquired those outward places. I mean, under the word English, the forraiguers also: who were the better moyety of the army. Both partyes, to give them their due, contended with extraordinary valour; in so much, that their combat was comely, amidst death and wounds, because fought with military skill.

p. 686.

"23. But General Ginckle, not satisfied with the obtention of those litle advanced posts, resolved to come closer to the matter, and make himself master of the forde on the right of the enemy, that he might gett in that way with his cavalry amongst the Irish foot: which he perceived, was somewhat superior, at least upon the account of the ground: and which therefore he seemed to fear most that day. Upon this, he ordered down at two o'clock a great body of horse from his left, to attack the pass of the forde. Here the dispute was rude, because it was for a thing of consequence: wherein the English were first repulsed: untill the Earl of Portland's regiment of horse, which then arrived in the camp, joyned them: and thereby they pushed the Irish from the forde to the body of



their cavalry, which was hard by : where they stood firm their ground all the day in spite of several attempts made on them ; because the English horse, even after passing the forde, could not spread, being enclosed on the right and left by the above said morasses.

"24. General Ginckle did not like hitherto the countenance of the contention, because he saw no way to weaken the Irish infantry with his horse, if he should generally engage. This consideration put him in a doubt whether he should continue and come to a close fight that day. But it was soon resolved, that it was so best. Whereupon he commands his left wing to charge again violently the right of the Irish horse thro' the forde at 5 in the afternoon. Which they did with great bravery ; and as well they were resisted ; General St. Ruth taking care to provide timely against danger. He shewed himself that day a good general : and did strain a point to recover the loss he had sustained in the miscarriage of Athlone. Between these wings the conflict was fierce. But at the end the English were forced to recoyl, not being able to compass their aym. p. 687.

"25. 'Twas at the period of this action, and about 6 o'clock, the main bodyes of foot on both sides came to close fight : and sharp it was. The English charged : and in their advancing, the Irish slew numbers from their litle ould ditches. The English gained them : and flew in bouldly among the enemyes. The Irish returned the charge : and broake and pursued them with great slaughter.

"26. Fresh bodyes of English came on again, and held the strife a good while in ballance. Major-General Dorington being pressed, sent for the two regiments of foot, which were placed in the beginning of the day to garde the pass on the left. At the same tyme, General Ginckle ordered down four fresh regiments more of foot to re-inforce his combattants which made the contention very sanguinary : till at last the English gave ground and the Irish advanced near the enemy's field of battle. p. 688.

"27. This repulse was no sooner given than a grand cõre comes pouring down on the Irish for the third tyme. 'Twas now the combat seemed more violent than before, and as if it were the last effort. After an obstinat storm, the English were constrained to retreat. The Irish followed, makeing use of club muskett : whereby the for- raigners suffered much. The regiment of Guards, and the whole royal brigade was particularly noted by the field to have performed uncommon execution. The Irish pursued so farr that they gained the enemy's ground, and maintained themselves thereon. Collonel Gordon Onõil with his regiment took some of their canon. p. 689.

"28. At this, General Ginckle seeing his center wholly broake : his left wing to have had noe small losses, without being able to have gained their point : that his right wing could not with any safety gett over to the left of the Irish : and that the foe was on his field of battle, he became so disturbed in his thoughts, that he could not well resolve, what to do, unless to take his flight : of which some marks appeared immediately.

"29. On the other side, General St. Ruth remarking the condition of the enemy, and his own success, cryed out in his language with joy : ' Le jour est à nous, mes enfans ' : ' the day is our own, my boyes.' To whom I thus address on this occasion : ' Great General, you may well say, if God gives you life, nay an hower of life, you will presente a kingdom unto his Majesty of Great Britain, as a grateful return

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p. 690.

for the honour, he had don you, in makeing you Mareshal General of Ireland. If the powers above shall think fitt to suffer your vital thread <sup>1</sup> to be cutt on this place; at least you may dye with this comfort, that you have left the army entering upon possession of the realm; and if their leaders will not perform so easy a task, as to take absolut possession thereof, the fault is not yours, but theirs alone.' And in truth it proved so.

"30. Amidst that confusion of General Ginckle, some of his great officers advised him for his last remedium, to attempt once the sending his right wing of horse over the pass of Aughrim-castle, notwithstanding the danger thereof. The General took this desperat advice: and so ordered it to be executed. Upon which the cavalry marched; Rouvigny's regiment being the first.

p. 691.

"31. The Marquis of St. Ruth observeing the enemy coming towards the pass, he gave orders to the left wing of his horse, that had been idle all the day, to goe and oppose him, which he knew was easily don: and therefore he continued his joy, as being sure of his point. Here we are to take notice, that this long-bloody contention is just a ending: that the victory is so certainly in the hands of the Irish, that nothing can take it away but the gaineing of that most perillous pass by the castle of Aughrim: that the defending of it is so easy, that a regiment may perform the task. At least four regiments of hors and four of dragoons might make the passage impossible. This being so: what a pity it is, to loose a kingdom at so slight a rate, as not to venture a few men! What a pitty to bring thus thousands of families into slavery! To suffer religion, the true worship of Allmighty God, to be suppressed! To keep, in fin, a mighty monarch in exile! What excuse can the left wing of the King's cavalry make for themselves, if they will not hender the enemy's gaineing the said pass, and obstruct thereby the ensuing calamities? Their bleeding country requires it: their suffering Prince exacts it: and their oppressed kindred implores it, and expects it. They have had all the day conspicuous examples of bravery before their eyes: their companions on the right fought like heroes: their foot in the center threw all down before them like thunder-bolts: so that there is nothing wanting to make them all an eaver happy nation, but the easy concurrence of the cavalry on the left, which in reason, in honour, in friendship, and in loyalty cannot be denied. Is there not here some zealots, who opposed the Duke of Tyrconnel, because they thought him not zealous enough for his country? Now, therefore, lett them show to the world, that their zeal was solid, and their intention sincere. But alas! these remonstrances will prove in vain, tho' the great officers of that cavalry must needs have had the same thoughts more or less at that juncture.

p. 692.

p. 693.

"32. So we will proceed and say: that General St. Ruth having sent his command to the horse to marche and oppose the enemy at the pass, he himself must needs goe along for to see them perform their duty, that there may be noe faylure in the last scene of this bloody tragedy. They moved: and the General followed with his guards. But as he was rideing down a litle hill, a canon-ball from the other side directed by the canoniere amongst the troops, that were goeing to defend the pass, missing all others, struck the Marquis of St. Ruth in the head: at which he fell: and at the same tyme it layed the nation prostrat at his feet. A cursed ball, that carryed such a measure of woe! O people of

<sup>1</sup> thread] thrid, MS.

Ireland! you were not, it seems, judged by heaven worthy of those blessings, which you expected by undertaking this war: that is, to re-inthroned your King: and in sequel to establish your religion, your property, and liberty. Your sins, your sins have been the barriers to that felicity. As soon as the body was down, one of the retinue carried it off: and brought the corps to the town of Loughreagh, and there interred it privately.

"33. Behold this great man gone at the height of his greatness! Which shewes, we must be allways mistrustful amidst the smiles of fortune. Let us see what immediate effects produced this death in the field. We find in history, that some armies in battle have despayred of victory upon the killing of their General, and so retreated: that others gained the day much the sooner upon the like disaster; because they were carried on with a violent zeal to revenge the death of their leader. But we never have read, that an army overcoming all the day, and ending victoriously the combat without any considerable loss on their side, and their being no difficulty to accomplish the petty remnant of the fight; that such an army, I say, gave up the victory of their own accord at the death of their general commander. 'Tis only the Irish army, or, more truly, a wing of it, at Aughrim, in the province of Connaught and kingdom of Ireland, that began this precedent in the year 1691. p. 694.

"34. As soon then, as the Marquis de St. Ruth was slain, the Guards withdrew from the field. Brigadier Lutterell, who was at the pass with the advanced troops hearing of it, did the like after a small resistance. Major-General Sheldon with the main body of the left wing followed, making their way to Loughreagh; and thence to Lymerick. At the same tyme the Irish infantry went on thundering: and their cavalry on the right stood firm to their ground, being prepared at every moment to encounter bravely, as they had done several tymes that day; little dreaming that their horse on the left would abandon them: or that the enemy could gett any way to snatch the laurels, which they had reaped in the field of blood for several howers. p. 695.

"35. It would be a satisfaction to the nation to know, what solid reasons these great officers have for their going off the field, of their own accord, and without any compulsion, at a tyme when their presence was so necessary, that the safety of the realm depended thereon. They say they had this one reason for so doing, because there was no General to command them to oppose the enemy at the pass. To the annulling of this reason, we answer in several wayes thus: First, the end of their being in the army was to serve the King and country upon all occasions in general, and particularly in suppressing the present rebellion. Here was for them a fayr occasion to compass that end: and the best that ever they had, or ever will have, which was warrant enough for their encountering the foe at that juncture without any special command. For by their fighting in this occasion, no damage could ensue to King, country or the army: and by not combatting, the destruction of all would follow, as it proved in fact. The nicety of martial lawes ceases, when an inevitable ruin is at hand, unless you do the moment before obstruct it; and when therefore there is no tyme to gett positive orders from higher powers for preventing the same. In such case there is a tacit order allways supposed, which order is like to the law of self-preservation: which warrants my opposing the person, that invades my life, without my recurring to the magistrat; because such delay would prove my death. Moreover there comes under this p. 696.

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p. 697.

case the law of society : whereby I may without command, and I ought, if able, to preserve the members and head thereof from any imminent danger. This sort of procedure is justified by necessity : which is above the laws politick : in so much that the laws of warr, forbidding the souldier or subordinat officer to assault the enemy without orders from the superior or supreme commander, are dormant in the case of necessity, as was evidently that of defending the pass of Aughrim-castle. So we'll proceed, and say secondly : that the great officers of the left wing of the Irish cavalry, were placed by General St. Ruth on that ground in the beginning of the fight, for to secure that very pass, to the end, that the hostile cavalry might not come over to the endangering of the King's army. This was a particular order to them to watch the enemy's motion, and fly to his resistance, whenever he attempted to gain the said pass. Thirdly : the General in a few minutes before his death, when he saw the enemy coming towards the pass, gave them fresh and positive orders to marche and oppose him, for to make the victory compleate by frustrating the foe of his last endeavour : and both the King's cavalry and the General himself were actually in their march towards the place. Sure this was warrant enough for their continueing the dessigne, whether the general were present or absent ; whether dead or alive. Nay, I should think, this order was binding till executed : so that those officers disobeyed the command by turning their back to the foe : and consequently they stand guilty of a breach in military disciplin. Fourthly : they were absolutely certain that it was the General's will all along : that all the General Officers on the right and in the center required it : and that the whole army expected it, that the left wing should secure the pass above all things for their safety, and for making sure the day. Was not this a high-commanding order ? Was it not instruction enough unto them, what to do in the case ? Certainly it was : and so farr, that they cannot possibly pleade ignorance, nor fear of offending higher powers, or going against the rules of martial disciplin. Fifthly : They knew that, if they quitted their post, their infantry would be murdered, as exposing them thereby all naked to the fierce assaults of the hostile cavalry, at the nick of tyme, when they were weary conquering, and had consumed their ammunition and consequently lay defenceless. They also knew, that, if their foot was gon, the day was lost ; and in sequel the nation was enslaved : their own kindred and families were destroyed : and the King undon.

p. 698.

Now to prevent these calamityes, was a supreme authority unto them to goe and keep the enemy beyond the pass. And for soe doing, their country would have blessed them : the King would have been redevable<sup>1</sup> unto their prowess : rebellion and usurpation would have been ended : the end of the warr would have been obtained : and heaven with blessings would have crowned them.

p. 699.

"36. Neither could they alleadge for their justification an inability in stopping the foe. For the General knew the contrary. So did the enemy, who all the day, though he was sincking in his center and on his left, yett durst not once, for his relief, attempt to traverse the caws-way, till despayr at the end compelled him to trye that experiment at all hazards. So reason shewed the easiness of the fact without controul, and experience confirmed it. For as the right wing made good their ground and guarded the infantry where the enemy had som access unto them, so with more ease might the left (that was also somewhat superior) foyl the enemy at a pass thro' which the access was

p. 700.

<sup>1</sup> Redeable (French), indebted to.

exceedingly difficult. And, in verity, if the enemy had gott the passage, it was expected that the cavalry on the left now swollen with the success of the army, and inflamed with a desire of shareing in the honour, and of putting an end to the happy battle, and to their own calamities, would have been match enough for him, and especially reinforced (as they soon might be) with some battalions from the second line of their infantry, which had not toyled near so much as the first line had don all the day. In fin: since the King's cavalry on the left were resolved to retreat, an indispensable obligation lay on them to send warning to their foot to goe off with all speed, while they themselves should cover their retreat, which they might have don without any sensible loss, especially assisted by the right wing, as a few regiments of horse brought off the right of their foot at the Boyn by a running fight for two miles. p. 701.

"37. The necessary result of this discourse is that the commanding officers of the left wing, by abandoning their station without compulsion, nay, without a stroake, were either traytors to their King and country; or, by exposing their foot to a certain murder, they shewed a barbarous indifference for the safety of their friends and countrymen; or, in fin, were notorious cowards. And so lett them keep their prideing cavalry to stop bottles with.

"38. But to proceed. By the tyme the King's horse went off the field the enemy's whole right wing arrived at the pass, and seeing noe opposition beyond, they confidently ventured to goe through, notwithstanding the fire from the castle on their right, which fire was insignificant; for it slew but a few in the passage. The reason of it was given, because the men had French pieces, the bore of which was small, and had English ball, which was too large. Here is a new miscarriage thro' heedlessness. Why was not this foreseen and the dammage prevented? p. 702.

"39. As soon as the hostile cavalry was gott over, they immediately inveloped the Irish foot, who were surprized at their hard fate, while they were moweing the field of honour. They had noe other remedy for their preservation, than to retreat as fast as they could, makinge their way to Portumny, and so forward to Lymerick. Most of the horse on their right made off likewise. Onely the Earl of Lucan, with some troops thereof, and the Lord of Galmoy, with his regiment, did good service in covering their retreat as prosperously as so small a body could do. This and the arriveing night and some morasses brought them off indifferently well. 'Twas their officers respectively that suffered most. In the same evening, late, the castle of Aughrim was taken, and the commander, Collonel Bourk, with his Major, eleven officers, and 40 souldiers, were made prisoners. Thus you have seen a victory snatcht out of the hands of the victorions. What recompence the commanding officers of the Irish cavalry on the left can make to King and country for the loss of that day, we shall be able to judge when they are Emperors in Europe. What punishments in the interim they deserve, we leave it to the judgement of those who are most knoweing in art military. p. 703.

"40. In this long and bloody strife, both on the field of bravery and in the accidental retreat, there was slain of the Irish officers and souldiers about 2,000, and 600 wounded. The wounded recovered soon almost all, and joyned the army at Lymerick within six weeks after. Amongst the slain was the great General St. Ruth, worthy of lasting memory. Next after him the noble youth, the Lord Bourk, Viscount p. 704.

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of Galway, son to the potent Earl of Clanrickard. He was dispatched by forraigners, after quarters given, as 'tis said: Brigadier Connel, Brigadier William-Mansfield Barker, an English gentleman, earely killed by a canon ball; Brigadier Henry Mac John Oneil, Colonel Charles Moor, of Kildare, with his Lieutenant-Collonel and Major; Collonel David Bourk, Collonel Ulick Bourk, Collonell Constantin Macguire, Collonell James Talbot, of Tampleogue; Collonell Arthur, Collonell Mahoni, Lieutenant-Collonell Morgan, an English gentleman; Major Purcel, Sir John Everard, of Fethard, in the county of Tipperary; Collonell Felix Oneil; and Dean Alexius Stafford, of Wexford, an undaunted zealot, and a most pious churchman, who fell in the front of the Royal regiment as he was encouraging them upon the first charge. There was made prisoners: The Lord of Duleek, the Lord of Slane, the Lord of Boffin, son to the Earl of Clanrickard; the Lord of Kenmare, Major-General Dorington, Major-General John Hamilton, who dyed at Dublin soon after of his wounds; Brigadier Tute, Collonell Walter Bourk, Collonell Gordon Oneil, Collonell Thomas Butler, of Kilcash; Collonell Oconnol, Collonell Edmund Madden, and several others, Lieutenant-Collonels, Majors, Captains, and subalterns.

p. 705.

"41. On the other side, of the English and forraigners there was killed officers and souldiers above 5,000, besides a great many wounded. Amongst the slain, that we could learn, was Major-General Holstaple, Collonell Herbert, Collonell Mongats, Major Devonish, Major Cornwall, Major Fox, and Major Colt.

"42. The next day of the battle, the English buried their own, and part of the Irish, that lay on the ground, where General Ginckle was to fix his camp. The rest they left unburied. In this same day, Ginckle sent Brigadier Epinger with 1,200 horse and dragoons, to take Portumna and Banhoer, two passes on the Shanon: which yealded the 14 of July, on condition that the garrisons might marche away with their arms and baggage.

"43. On the 12 of July in the morning, the Viceroy, Tyrconnel, being at Lymerick, receaved the sad newes of the King's misfortune at Aughrim: whereby he was struck with a deep wound of sorrow: and the more because the battle was lost so unexpectedly. However, he rowsed his courage, and kept hope alive, resolveing to continue the warr since he found the excellent magnanimity of the army; and that the loss of that day was not very considerable. Upon which, in the first place, he dispatches away into France three expresses one after the other, the Earl of Abercorn, the Lord Thomas Howard of Norfolk, and Mr. Doran, his own secretary: that, if one or two should fayl in the journey, the third might safe arrive at St. Germain, for to give the King a true account of the combat at Aughrim. Secondly: he requests by those couriers a reinforcement of trained men out of France at the farthest by the next spring: and in the interim provisions and ammunition for the army. For he did not doubt to preserve Lymerick; tho' he would fayn keep off a siege for the rest of the campagne chooscing at the present to stand upon his defence, rather than give another battle: which yett he might do by the healp of an advantageous ground, being still superior in foot. Thirdly: he goes out of Lymerick on the 4th morning after the battle for to receive the cavalry six miles of the town, which he cantoned near Lymerick in the county of Clare, while he was expecting the foot to come in: and then he will enter upon a consultation, what is best to be don in this streightness of tyme.

p. 706.

"44. While these things were a-doing : the three expresses, that were sent for France, went on in their voyage. But one of them, the Earl of Abercorn, mett a Dutch man of warr near Brest: by whom the ship was taken, and the Earl killed in a fight, after escaping death in the bloody field of Aughrim: where he gallantly comported himself with his regiment on the right. He was a person of great bravery: zealous for his country: and most loyal to his Prince. He was of the noble family of Hamilton in Scotland: wherein he was Earl of Abercorn; and in Ireland, his native soyl, Baron of Strabane. The like fate the Lord Thomas Howard did meet with: whose son is now Duke of Norfolk, a Catholic. The third envoy arrived safe at St. Germain's: where he delivered his accounts of Ireland. The newes touched his Majesty very sensibly, seeing his affayrs grow worse and worse every day. Against which the best remedy he had, was his usual resignation to the will of God. At the same time he took some comfort at the consideration of the couragious behaviour of his loyal people: and fell into consent with Tyrconnel, that matters might be retrieved with some small assistance from France. The King made the whole story known unto the Gallick monarch: who heard it with sufficient sorrow for his royal friend's sake: and yett was pleased that the courage of the Irish did answer his expectation. But his most Christian Majesty was not in a condition at the present to send any succours of men to the Duke of Tyrconnel; tho' against the next campagne he might be able to afforde them. In the mean tyme, he could supply the Irish army with provisions, ammunition, arms, and other necessaryes of warr: and actually did grant them: and ordered them with all convenient speed to be transported from Brest to Lymerick: of which beneath.

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p. 708.

"45. General Ginckle haveing refreshed his army at Aughrim, decamped on the 16 of July, and marched towards Gallway, in order to besiege it, bringing along with him onely his field pieces; haveing left his heavy canon at Athlone. It seems by this, that he presumed on his good fortune, that Gallway would make litle resistance. This town is marittim, and chief of the province of Connaught. It is pritty-strong by scituation: but might have been made a noble fortress with an indifferent expence, which had been neglected dureing the warr, as other works of moment were. The howses within are built like castles for strength: so that a smart resistance may be given to the enemy, even after entering the town: the Governor whereof was at that tyme the Lord Dillon, as above said: and to his assistance Lieutenant-General D'Usson entered.

p. 709.

"46. On the above said 16th day, General Ginckle with his army came to Loughreagh, on the 17 to Athenree, within 8 miles to Galway. On the 18 Galway was invested: In which there was seven regiments of foot, not full, nor well armed. Baldarg O'Donnel was expected there with 1,000 men of reinforcement. But he came not; who afterwards made conditions for himself; and took the Prince of Orange his side at the end of the warr. This gentelman was descended of the family of the ould Earl of Tyrconnel in Ulster: who was forced to fly into Spain upon a false impeachment in the reign of King James the First, where he was owned Earl of Tyrconnel, and his heys after him. This present O'Donnel was the acknowledged Earl at this tyme: who heareing that his nation was in warr for King James the Second, came into the kingdom a litle after the action at the Boyn, in order to assist his countrymen: tho' he was suspected by some, as not true to the cause. He bore the nickname of Baldarg, or a red place, or a red spott, upon the account, that some of the family foolishly believed that the true Earl of

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Tyrconnel, marked on his body with such a spott, would come, from abroad into Ireland, and do there great matters for his country: and they applied their ridiculous belief impertinently to this man.

p. 711.

"47. On the 19 of July. General Ginckle planted a battery against a litle new fort, which the Irish had made near the town. He took it that same day. Immediately after he rayzed his batteryes against the town. On the 21, the Governor haveing considered the great declension of the Irish affayrs, thought it fit not to hould out the place any longer; and so, the same day, he called for a parley. The treaty was concluded on the 24th of July, whereby the garrison gott their own demanda, and the town also for enjoying their estates, the exercise of their religion, and other rights and privileges, that are due to free-born subjects. On the 26th, the Marquis D'Usson went to Lymerick; so did the Lord Dillon, with the garrison, being about 2,300 men, and with six pieces of canon.

p. 712.

"48. The Duke of Tyrconnel had great expectations, that Galway would make a long resistance, which would be to his advantage. For thereby he hoped, that the campagne would be so farr spent, that the besieging of Lymerick could not be undertaken in that season. But the town being so speedily lost, gave him a deep wound of sorrow; because it abbreviated too much his tyme, wherein he expected succours out of France or a favorable answer to his request, as aforesaid. For now the citty of Lymerick was the onely fortress of note, he had in possession, which his Excellency knew the enemy would besiege immediately. How to keep off this beleagur, the Duke was at a stand for a while. Until at last he resolved upon this followeing stratagem, for to gain a litle tyme.

## IX.

[SIEGE OF LIMERICK, A.D. 1691.]

p. 713.

"49. The whole Irish army, tho' scattered in the day of Aughrim fight, yett reassembled within 12 dayes, hard by Lymerick, in the county of Clare. And those officers thereof, who had been violent factioneers against the Duke of Tyrconnel, do now owne their fault, and acknowledge that his Grace was all along in the right, tho' 'twas a submission made too late. However, the Lord Lieutenant ordered the army to pass from the other side of the river Shannon thro' Lymerick, and encamp close to the town on the east side. When this was don; he issued a proclamation, commanding all men in the Irish quarters from the age of 16 to 60 to joyne the army, for to fight immediately the enemy. In order to which, he made some other preparations. The whole citty of Lymerick, and the army believed, that there would be soon a second battle. And they conceived much alacrity thereat, especially after taking notice of an ould-pretended prophecy, which said that there would be a fight in the place (called Singland) where the army then was fixed, between the Irish and the English, and that the Irish would so overcome them, that the English should be for eaver disabled to make head against the Irish. But the Viceroy thought it not fitt to give battle without a reinforcement of trained foot, for to supply the want of horse: tho' I should side with that opinion, which would assent, that the Irish host now resolut to obstinacy ('tis this gives allwayes the day) together with the voluntiers and their zeal, and the advantageous situation of the place, was sufficient to gett the victory, considering, what numbers of the enemyes were lost at Aughrim; and

p. 714.



what were left to garrison Galway, Athlone, and to take Sligo ; and the apprehension, that must needs have been struck into the hostile infantry by the remembrance of Aughrim field : it being found often true, that superior numbers are vanquished by the help of other advantages. There are many examples antient and modern of this kind. But these few shall here suffice from antiquity drawn : as is that of Alexander the great his army overcoming Darius with six tymes more forces : Hannibal with lesser multitudes overthrowing the Roman Generals Paulus Æmilius, and Terentius Varro : Julius Cæsar with almost half the number putting the great Pompey to the rout in the field of Pharsalia ; where Pompey, hitherto esteemed the greater captain (for none before p. 715. had conquered so many nations for Rome) managed very ill the battle that day, especially in this point, that he hendered the young fiery nobility of Rome to give the charge : which had they don, they would have crushed Cæsar's army to morsels, tho' made up of veterans ; their most violent assault with such numbers not being supportable. Which crafty Cæsar knowing, commanded his army to begin the fight with charging bouldly those youthful Hectors, for to dash their first swelling courage.

" 50. General de Ginckle having taken Galway, and garrisoned it, decampeth from thence on the 28 of July, with a resolution to lay siege to Lymerick in that very season, as being violently desirous to end the war by the present campagne, for to please his master the Prince of Orange, who was impatient at the delay. But Ginckle upon his decamping received intelligence, that the Duke of Tyrconnel was ready p. 716. to present him the second battle at the walls of Lymerick on the county of Lymrick's side. This made him resolve to answer the challenge, whereupon he marched (for expedition's sake) streight to that part of the river Shanon where Banahaer-Bridge lyes, bringing onely with him his light pieces of canon, not having use of his heavy artillery in a field-battle. At this place he passed the Shanon into the province of Leinster with his whole army on the 3rd day of August, and came that night to the town of Birr in the King's county, distant 30 miles from Lymerick. From thence he marched to Nenagh in the county of Tipperary, and arrived there on the sixth. Brigadier Anthony Carrol, Governor of this open town, and of the castle thereof, quitted it at the approach of the English army, having first sett fire to the houses which was soon after extinguished.

" 51. As soon as Tyrconnel gott an account that the Protestant army was approaching to Lymerick, he gave orders that the Irish host should repossess the town, and encamp on the other side of the river in the county of Clare near unto the city. At this tyme his Grace received an answer out of France to his message, he had sent immediately after p. 717. Aughrim-fight to the King at St. Germain. In which answer he finds that a reinforcement cannot be spared in this season : but that a fleet with provisions, and all necessaries of warr would arrive soon at Lymerick.

" 52. The Baron de Ginckle being come within a few miles to Lymerick, understood that the Irish army repassed the town to the county of Clare ; and that all signs of a battle vanished. Whereupon he fixes his camp at Carrick-Inlish 4 miles from Lymerick ; and there is resolved to remain, till his gross canon comes to him from Athlone ; for which he had sent, in order to besiege the said Lymerick.

53. The Duke of Tyrconnel understanding that Ginckle was resolved to lay siege unto the town, tho' it was late in the season, considering the

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climat of Ireland, made preparations for a defence. Upon which he brings all the infantry of the army into the city; and leaves his horse and dragoons to encamp hard by on the county of Clare-side. He settles his batteryes: he makes some new Brigadiers, and other officers; and finisheth several other matters.

# X.

## [RICHARD TALBOT, DUKE OF TYRCONNELL: HIS CAREER AND DEATH.]

p. 718.

"54. And now we are com to the last scene of the tragedy, wherein the ruin of Ireland is effected. The Viceroy Tyrconnel, after putting every thing in good order for a vigorous defence, was on a Munday, the tenth of August, invited to dinner by Monsieur D'Usson, the first Lieutenant-General. He and the company were very merry. But at night upon his preparing to goe to bed, he found himself indisposed. The next day his malady increased. Remedyes were applyed: yett to noe effect. On the third day, observeing his weakness to be great, he settled his worldly affayrs, and took care for his conscience. He appointed (by vertue of a power left him in his commission) three persons as Lords Justices, for to govern the King's people, and manage his royal affairs: who were the Lord Chancellor, Alexander Fitton,<sup>1</sup> Baron of Gosworth; Sir Richard Nagle,<sup>2</sup> and Mr. Plowden, an English gentelman. On the followeing day his Excellency grew speechless: and on Friday the 14th about one of the clock after noon, being the 5th day of his sickness, he expired: leaveing issue one daughter, the Lady Charlott Talbot. His Dukedom was extinct in him. But his Earldom of Tyrconnel came to his brother's son, William Talbot: whose son, the Lord of Baltinglass, married afterwards in the year 1702 the Duke's daughter.

p. 719.

"55. Thus this great man fell: who in his fall pulled down a mighty edifice, viz. a considerable Catholick nation. For there was noe other subject left able to support the national cause. This noble personage, by name Richard Talbot, was a younger son of the family of Cartown in the county of Kildare: whose father was created Baronet by King James the First. Young Richard proved to be Cornett of horse in the beginning of the Irish warrs against Oliver Cromwel and the rebells of England in the year 1649. When that warr in 1653 was ended, he went into Spain with the Irish forces, that were thither transported: where he became Collonel. From thence he came to Flanders upon King Charles the Second's service, then in that country an exul. At Brussells he had the happiness to be known to the Duke of York: who, approveing of his wayes, took him into his family, where being a while, Collonel Talbot proved so happy as to become favorit to his Royal Highness.

p. 720.

"56. When King Charles the Second was restored; several Irish gentilmien applyed themselves to the said Collonel, that by his means, as being a mignion to the King's brother, they might obtain the King's letter to the government of Ireland, in order to repossess themselves of their lands of inheritance, out of which they had been ejected by Cromwell and his fellow-rebells. Talbot procured unto them the desired letters and thereby some of the addressors were restored to their

<sup>1</sup> Appointed Chancellor of Ireland in 1687-8.

<sup>2</sup> Appointed Attorney-General in 1687-8. A letter written by Nagle at Limerick, on the 14th August, 1691, in relation to the death of Tyrconnell, is reproduced in "Facsimiles of National MSS. of Ireland," Part IV.—2, Plate lxxxix. London: 1884.

patrimonyes. In consideration of which service, the persons so restored did bestow by an antecedent agreement, part of the acquired lands on Collonell Talbot: who having money, layed it out on the purchase of some other lands: so that he had now by his own acquisition a plentiful p. 721.  
estate.

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" 57. After the Duke of York ascended the throne; his Majesty made Collonell Talbot Earl of Tyrconnel, and Lieutenant-General of the Irish army. In the beginning of the 3rd year of the King's reign, the Earl of Tyrconnel was created Lord Deputy of Ireland, and Captain-General of the army. In which station he shewed himself a lover of his country in general, and of his kindred in particular, which was a behaviour contrary to that of the late Duke of Ormond, who proved an enemy to his country, and most unkind to his kindred. This is not to be much admired, considering the malignity, which hereticks have for the orthodox universally. So these must not expect as good effects from a Protestant compatriot and relation, as from one of their own religion. There is great difference between tree and tree.

p. 722.

" 58. About the tyme the King was banished out of England (which was at the end of his 4th year) the Lord Deputy Tyreconnel with a mighty zeal rayed an army in Ireland in order to restore his Royal master. The nobility and gentry of the kingdom concurred thereunto most ardently, and with veneration towards the person of their General Governor for his shewing them so brave an example, and so singular affection to his native soyl. In four months after, and in the fifth year of his Majesty's reign, 1689, when the King arrived at Dublin out of France, he created the Earl of Tyrconnel, Duke of Tyrconnel, as above said.

" 59. But when the King, after the loss at the Boyn, thought fitt to fly back into France; and when thereat the Irish greatness became dejected; the grandeur of Tyrconnel was undervalued (as we remonstrated above) by some of those gentlemen, who before had respected him as the pillar of the nation: and even such the Parliament at Dublin in the precedent summer acknowledged him as before mentioned. This comportment of the said gentlemen doth indicat, that constancy to our devoirs is not common; and at the same tyme it shewes in them an ingratitude to so national a man.<sup>1</sup> Yett some there are, who care not a rush, whether their country in general flourish, so they be well themselves. Such we call good for nothing, tho' they were princes in greatness, because they are onely indulgent to themselves. And it would prove the greatest happiness in the world to that country, if such self-lovers were weeded out of the land, as we cast out of a gardin noxious weeds. For what els should be don with them, since they infringe the tacit oath of association, which they made to nature at their first coming into the world, viz., that they would with all their power joyntly defend the birthrights of one and other, and their common parent soyl, which is an obligation, that all nations for these five thousand years passed, have thought incumbent on them.

" 60. As soon as the Duke of Tyrconnel was dead; (some sayed of p. 724.  
poysen: and there was ground for it) the three fore-mentioned Lords Justices took upon them the government, who on the 3rd day of their regence, and the 16th of the month, being Sunday, buried at night

<sup>1</sup> For further notices of Tyreconnell, see Second Report of this Commission, 1871, p. 27.

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the body of the late Duke in the cathedral church of Limerick, not with that pomp his meritts exacted; but with that decency, which the present state of affairs admitted.

# XI.

## [SIEGE OF LIMERICK, 1691.—*Continued.*]

p. 745.<sup>1</sup>

"61. General de Ginckle, in a few dayes after Tyrconnel's death, haveing at last receaved his weighty artillery, decamps from Carick-Inlish, and marches to Limerick; which he invests on the 25th of August. At that juncture, the Sieur Donep, Collonel of Danish horse, was killed by a canon-ball from the town. Here we'll stop a while to make our observations upon the nature of this siege, that is now undertaken. First: how comes it, that General Ginckle dares assume the task, seeing the garrison is as numerous as his infantry: and the very men, that beat his foot lately in the field of Aughrim: and sure<sup>1</sup> can more easily overcome within the breach of a town? It appears to be a mock-siege; tho' that Ginckle gained the town in earnest, and with it a kingdom. He may thank the death of Tyrconnel for it: whose life would have preserved the town and country, as he had layed his measures with France. It may be General Ginckle designed to ride his cavalry into the breach when made. Otherwise how could he propose to himself to take Limerick with so small an army, not being above 22,000, horse and all; when the Prince of Orange the last year being much superior, could not take it against a garrison, that was hardly the moyety of the present? It lookes, as if the bargain had been allready made with Ginckle to give him up the town. For most certainly the garrison was putt to noe necessity of surrendering, as we shall see more clearly; nor could they be by such weak besiegeing forces. However, we'll goe on with our narrative; and speak of the matter more beneath. General Ginckle haveing finished his lines before the town; he plants his grand battery of canon on the south side of the city; and that of his mortars on the east at the place called Ireton's fort.<sup>2</sup> The first thing the besiegers did, was, to trye, if with that great battery of canon they could destroy Toumond<sup>3</sup> Bridge, for to cutt off the communication of the garrison with the county of Clare, where their cavalry was, and from whence they receaved their refreshments. But the besiegers could not compass their aym after eight dayes' tryal. In which space they cast into the town plenty of bombs night and day. The howses were much damnifyd by them; tho' but few men were killed.

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"62. The General seeing noe success of moment hitherto: and not dareing attempt a breach on that side of the wall, where the breach was made the last year by the Prince of Orange, because since that tyme outward works were rayسد for its defence: which to gain would cost a world of men, and take up too much tyme for that late season; he resolved to remove his main battery to the north side of the town, or to that part of the city, which is called the English town, where he understood the wall to be very weak, as being thin and without a rampart, and voyd of outward fortifications. The battery being rayسد did furiously play, untill it made a breach of forty yards wide. In opposition to this, the besieged made a strong retrenchment within from side to

<sup>1</sup> Apparently through a clerical error, the page following 724 is numbered 745 in the MS.

<sup>2</sup> See "Contemporary History of Affairs in Ireland, 1641-52." Dublin: 1879-80.

<sup>3</sup> Thomond.

side of the said breach: insomuch that they were resolved to stand the attack without fear of being overpowered.

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"63. The breach being made; General Ginckle prepares for an attack. Amongst other things he gets ready his floateing bridges, in order to pass a branch of the Shaun, which ran before the said breach. But before attempting of this assault, he thought it necessary to dismount a small battery, which the besieged had without the wall on his left p. 748. flank, as he mounted the breach. To effect this he endeavoured it for three or four dayes: but could not prevayl. Upon which he ceased for two or three dayes from all kind of firing: so that there was a general silence. In the interim we are to tell that few lost their lives on either side: the besiegers not undertaking any matter of danger: nor the besieged making any sallies worth the remark. Of the last there was killed a hopeful young gentilman, a nephew of Monsieur La Tour, the Governor, by a bomb, being at that tyme in the same chamber with his uncle. In like manner a gentilwoman was slain before the door of her lodging, after coming down stairs, for to shun the bomb, which appeared to fall on the howse: but fell in the middle of the street, and there burst: a splinter of which struck the lady as aforesaid. A few more of noe note receaved their death in that way. Upon a small sally p. 749. or two there was lost Captain Walter Hore, of Harperstown, in the county of Wexford; and two or three other inferior officers with a few common souldiers. Of the besiegers, the Lord Loftus<sup>1</sup> of Lisburn was killed by a canon-ball on the 15 of September, as he was coming out of his tent, which was placed in the trenches. This nobleman was a native of the county of Dublin in Ireland, and proprietor of Rapharnum near the said Dublin, and of a great estate thereunto appertaineing. But he was a remarkable zelot for the Prince of Orange. His friends gott the bullet, that had killed him, to be guilded, and to be hung over his tomb in the Cathedral church of Dublin dedicated to St. Patrick the apostle of that kingdom; and this to stand a monument of his good affection and fidelity to that usurper. A folly in grain! Besides that Lord, there was a small number of others slain on the side of the besiegers. Dureing which tyme, General de Ginckle sent Brigadier Levison with a party of horse and dragoons to the county of Kerry, which bounds with that of Lymerick, in order to subdue the Lord Fitzwilliams, Viscount of Merryon,<sup>2</sup> and the Lord Bourk, Baron of Brittas, who commanded parties of new rayseed horse: as also the Lord Butler, Baron of Dunboyn, who had a regiment of dragoons in that country. Levison receaved two reinforcements one after another. The first was of 300 horse and dragoons: the second of two regiments of infantry. There happened noe action of moment between those contrary sides: and that thro' the fault of the Irish commanders, who joyned not their forces into one body, which if they had done with a moderat reinforcement of the inhabitants, and had taken the advantages of ground, which that country afforded, they would have hendered the enemyes to com into the plain tracts of Kerry. This much Levison observed: and therefore he thought it necessary to be considerably reinforced before he would venture to goe farr into the country. However, it happened about the 20th of September, that some troops of Dunboyn's dragoons were posted at a pass, where they were to wayte a litle while for a

<sup>1</sup> Adam Loftus, created Baron of Rathfarnham, Dublin, and Viscount Lisburn, in 1685-6. His only child, Lucia, married Thomas, Lord Wharton, and was mother of Philip, Duke of Wharton, attainted in 1728.

<sup>2</sup> Thomas Fitzwilliam, fourth Viscount Fitzwilliam, of Merrion, co. Dublin.

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reinforcement of Merryon's horse. But in the interim Brigadier Levison appeared with his body. The Irish dragoons seeing themselves much inferior to the enemy, quitted their post. A little while after some troops of the Lord Fitzwilliam's horse came to the place; and tho' they saw the pass abandoned by their own, they stood for a tyme upon the defence. But haveing noe infantry to send into the morass, that intervened; and being gaulled by Levison's dragoons on foot, who were come into the moor, they were forced to retire. Which gave the opportunity to the English of carryeing away a great prey of cattle.

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"64. To return to Lymerick: while it was besieged, as aforesaid, the Irish had a guard of dragoons consisting of four regiments, and of som foot at a deep forde of the Shanon a mile above the town, for to hender the enemy from passing over to the county of Clare, and thereby from cutting off the refreshments of the country, which came from thence into the city: as also for to barr the foe from coming between the Irish horse encamped at Anaghbeg about two miles from Lymerick, and the garrison.

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"65. General Ginckle, after the long silence of his artillery, and after his mature consideration of the danger in attempting an attack on the above said breach, resolved to quitt that enterprize, and embrace another, which was thus. He is fixed to cross the river Shanon, in order to beguirt the town on the other side of the river, in hopes to distress soon the besieged so much, as to force them to a speedy surrender. For the General was in hast to goe into winter-quarters, by reason that his army was suffering: and to finish the wart by a happy issue of this siege. Upon this resolution, he gives orders on the 16 of September at 10 a clock in the night, to carry floates and pontoons to the above described forde, where he intends to pass the river. He commandes six hundred workmen to lay the bridge in that place: and a hundred grenadiers to cover them, while those men were working. The grenadiers were brought in boates into an island; where they remained undiscovered, till it was almost morning. At which tyme the English were discerned by an Irish dragoon on the contrary bank, who was patrolling. He gave notice of it to Brigadier Clifford, who commanded the Irish guards that night. But the Brigadier seemed not to give credit to any such account, as not feareing that the enemy would dare undertake so perillous a passage. However, the alarum spreading; one of the Collonells of the dragoons, by name Dudley Colclough, of Moyhurry in the county of Wexford, brought down his regiment to the Brigadier's tent in such hast, as some of his men did not stay to saddle their horses. The Collonel desired ammunition and orders for to obstruct the passage of the enemy. But the Brigadier before Collonell Colclough and other officers neglected so long, by his discourses which noe man of sense understood to be pertinent, to perform his charge, that the above-mentioned bridge was finished, (which happened about 7 of the clock in the morning) and a great body of the English came over. The first that passed was a regiment of dragoons, called the Royal Regiment: then grenadiers, and fusiliers, who were supported by four battalions of foot, and several squadrons of horse. At which the Irish guards seeing too plainly their enemyes at their nose; and themselves too weak to beat them back over the said river, took a suddain resolution to save themselves by flight, which they hardly effected, by reason that the greatest part of their horses were at grass at some distance from the forde: so that a few of their men could not timely arrive at their horses; and therefore were made prisoners. Several saddles, and

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tents were left to the enemy. The Irish cavalry under the command of their General, Dominick Sheldon (which was encamped a mile off towards Killaloo) hearing of this misfortune, decamped suddenly, and marched towards the town of Ennis in the county of Clare. By which the horse lost communication with Lymerick. At the same tyme the Irish Lords Justices or regents, and the ladies, and such gentlemen, as were not concerned in the army (who had a camp of their own in the county of Clare within a quarter of a mile to the garrison) were forced to run into the town with all speed, which caused a crowd and an inconveniency both to themselves and to the souldiery. p. 755.

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“66. Here rises a question, whether the Irish cavalry should have come down, and fought the enemy that was come over? I side with that opinion, which says, they should have done it. And we give for reason, because they might have come safe and timely enough and were able, especially in conjunction with their own dragoons, to drive back the foes and to gather<sup>1</sup> as many of them as could pass the bridge, by the tyme that the Irish horse were arrived on the place. Nay, in all probability, the English forces, which had trajected the river, would not have stood to a fight, seeing the hostile cavalry and dragoonry coming all down upon them. For they could not be sufficiently supported from the other side, by reason that the bridge admitted not many in abreast. So that one regiment of Irish dragoons with three companies of fire-locks would have stopt their passage on the said bridge where they might have made a barricade of the enemyes to their own people behind. This was a brave occasion for the Irish cavalry to show themselves: for from the beginning of the warr to that day they were not brought to a tryal, as to the whole body of them. And what should they be any more reserved for? Or for what were they at first rayseed? Here they would make recompence for all their past inaction, tho’ the fault hath not been in the men, but in the great officers. For by this repulse of the enemy to his own side of the river, the siege would be rayseed for certain within a day or two, considering what we have said above concerning General Ginckle’s not daring to mount the breach, he had made in the wall of the English town. But you see by this act of suffering the enemy to cross the Shanon, that the misfortune of the Irish is continued; who loose ground upon every important occasion, not by the bare prowess of the foe (tho’ brave he is) but rather by the neglect, or ignorance or treachery of particular commanders, as it will appear to a thorough considerer. But what Brigadier Clifford can say for himself by way of vindication, I do not understand. I suppose, his comfort is, that he believes he will never be brought to an account of this behaviour by the King. p. 756.

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“67. Here springs another quære: what should the Irish horse and dragoons have done, when they lost the communication of their foot, that was within Lymerick? Some say, that they should have passed the Shanon into Ulster, or rather into the province of Leinster at some convenient place for a retreat into Connaught, if need were. The first report of their marche that way, would oblige the English horse and dragoons to rise from the siege, and to hasten into Leinster, for to prevent the destruction of that country, and especially of Dublin, from whence the besieging army had all their provisions. Their infantry would not dare stay behind, as fearing their victuals might be cut off; and that they might be enveloped by the numerous garrison, by the p. 758.

<sup>1</sup> to gather] together, MS.

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loyal people of the county of Clare, who would rowze themselves at such a juncture, and by the troops and militia of the county of Kerry : which doubtless upon this opportunity would march in great numbers towards Lymerick, as being particularly provoked by the loss of their cattle, which Brigadier Levison took from them about this tyme. I have heard it sayed, that this very enterprize was the dessigne of the Irish cavalry : but the execution was prevented by heareing, a few dayes after, while they lay encamped near Ennis, that a cessation was made in order to conclude a peace. Yett, others do tell us that the Irish cavalry might with good reason have remained in the county of Galway, upon confidence that their foot would effectually hould out the siege at this tyme, since a smaller garrison held the town the last year against a potenter host with the presence of their horse ; tho' that host might have beguirted the town on both sides of the river without resistance : so that the Irish horse had noe solid cause to fear at present the surrender of Lymerick. And this is the truth, to which I adhere aguinste the imaginations of the timorous, and the ignorant ; and against the sentiment of the treacherous.

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" 68. But to goe on : the English, who had passed the forde ; and their companions, who remained beyond, observeing, that the country before them was clear of the enemy, fixed their camps on both sides of the river : and spent four dayes more in bettering of their bridge, in removing it nearer to the town, in bringing canon to the bancks, and in planting a battery to secure the bridge. At the end of this buisines, viz., on the 21 of September, an account was brought to General Ginckle, that the English forces had taken the town of Sligo in the province of Connaught from the Irish ; which was after this manner. On the 10th of the present September [1691], Collonel Michelbourne marched with a detachment of his regiment, with 500 of the militia of Ulster, with two troops of dragoons of Ginckle's army, and with six field-pieces. He encamped at Drumchette about three miles from the said Sligo : of which he sent an account to the ould Earl of Granard<sup>1</sup> by a party of horse commanded by Captain Vaughan. On the 11th, Michelbourn came within half a mile to the town. On the 12th he drew out his men to attack a party of Irish within som slight works, which were at the entrance into the town. After a short dispute the defendents quitted the works, and entered into the great fort, haveing killed an ensigne and a few privat men of the enemy's. On the 12th the Earl of Granard arrived with the troops under his command before the place : who immediately ordered batteryes to be raysed against the fort. Sir Thadey Oregan, Governor thereof, being perswaded that the enemy had great canon, and judging it of noe advantage unto Lymerick, actually besieged, to nould out the fort for a few dayes, called for a capitulation : which was granted and perfected. The conditions were honorable. Upon which the fort was surrendered on the 15 of September. And Sir Thadey with 600 men marched to Lymerick, where he arrived at the end of the siege.

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" 69. Now Lymerick onely remains in the possession of the loyalists : but that possession will not last long, because they are willing to part with it, and not otherwise, as you may judge by the followeing discourse : wherein you will find, that General Ginckle gave them all the advantage desirable by divideing his little army on both sides of the river :

<sup>1</sup> Sir Arthur Forbes, first Earl of Granard. See Second Report of this Commission, 1871, p. 211.



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and at the same tyme he exposed his troops to be cutt off, if the garrison, and their cavalry abroad would be resolut: so that instead of facilitating the reduction of the place by investing it on both sides with so weak a power, the enemy rendered his attempt wholly impracticable. But to goe on: the above mentioned bridge being perfectly finished, and com-mo-diously placed on the river, General Ginckle passed the same into the county of Clare on the 22nd of September with the Duke of Wirtemberg, and Lieutenant-General Scravenmore; bringing with him ten regiments of foot, 14 small pieces of canon; and all the horse and dragoons of the army, except Collonell Coy's regiment of horse, and 50 dragoons out of every regiment: he having left behind Major-General Macay, and Major-General Talmash to command the rest of his army for the security of his camp on the county of Lymerick's side.

"70. In the afternoon of the same day, as the said trajected forces approached to the city, the Governor of Lymerick sent a small detachment of foot to the number of 200 men, under Collonell Stapleton, Deputy-Governor, for to skirmish with the advanced foot of the enemy by the heap of some litle ditches that were near the place. This was a foolish management. For what end could it have? It was not able to hender so great forces to approach the town. And at the same tyme it did expose those few Irish to the slaughter. Why rather was not som pieces of canon rayson on the other side of the bridge; or planted on the church-yard contiguous to Toumond gate, for to scour the avenues on the county of Clare's side, there being the tyme of four dayes for the doeing of it? This would prove a positive advantage, as the considerer finds. Nothing of which was don, as if there were noe enemy approaching: so that the English forces, especially the foot, could march close to the wall of that side without danger. For there was noe artillery sett up on that part of the town, but what was on the castle: which was mounted too high for doing harm, except to such as appeared on high ground at a considerable distance. Nor any outward works were made, wherein musketry (being well covered) might keep off for awhile the approach of the foe to the slaughtering of a great number: and from whence when overpowered, they might safely retreat into the town. p. 764.

"71. But to proceed, Collonell Stapleton at the approach of the hostile bands, engaged them: and after fighting a while he was overcharged with numbers: which made him retire. Some of his men gott into the gate, that was on Toumond Bridge. He himself with the rear was also hastening thither. But a party pursued him so close, that a French Town-Major, who commanded the gate, pretending a fear that the enemies would poure in with the Irish, shutt the said gate against friends and foes, by which it happened, that Collonell Stapleton, a worthy gentilmnan, Major Purcel, and som other inferior officers, with about 80 privat souldiers, were killed on the bridge. Here again was a ridiculous fear. For had 2 or 3,000 of the enemies entered, they would be soon overcome; tho' there appeared near the gate, not above 2 or 300: who lodged themselves that night on the further banck of the river (which washeth the town-wall) in sandpitts, and amongst ruinous walls of howses. p. 765.

"72. Here we must sett the quære: whether this division of the hostile army (that consisted but of 20,000 men) on each side of the town, and of the great river, from whence they could not relieve one and other in less tyme than an hower, did not prove a vast advantage to the Irish garrison? For the garrison being 14,000 foot and 200 horse (besides many voluntiers) was double the number of the enemies, who were

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left to guard their camp on the county of Lymerick side: where their cavalry was not above 300 horse and 500 dragoons: and therefore could not the besieged take a fayr opportunity to surprize them, or fight them upon a square and gain the victory? Moreover, might not the Irish cavalry in night pass the Shannon at Killaloo six miles above Lymerick, or farther off; and surprize the enemy's bridge at the above said forde; and so cutt off the communication between the two camps of General Ginckle? In which case the hostil camp on Lymerick side lay at the discretion of the Irish. All these enterprizes were compassable enough. At least an attempt made by the Irish cavalry to pass the Shanon, would oblige the English horse to repass it for to cover their infantry on the other side, and to secure their provisions, that were brought to them that way. But alas! by this tyme zeal was languishing in the Irish patriots. The year before the Earl of Lucan attempted and achieved a noble feat, of which we spoake above. So in the first siege of Lymerick, the chief commanders of the garrison behaved themselves with a deal of bravery and thereby drove the proud foe from their walls. In the beginning of this present siege, one of the Irish Brigadiers, a very experienced officer of forraign education, named Patrick Plunkett, would show himself for the good of his country, and engage by snatching at an opportunity with 1,000 firelocks and 500 horse, to bring into the town the grand battery of the besiegers, that was then on the South side: by which the siege would be rayseed, the enemy not haveing tyme enough to procure other battering pieces, by reason that the season was spent. But the Brigadier durst not propose the project to the Governor and general officers, because he believed that they would look upon it as impracticable, especially being offered by a person, whose skill in military affayrs they were not well acquainted with.

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"73. To advance in our history: the town being now beguirted on both sides, the garrison beat a parley on the 24th of September: to which the enemy complied: and so a cessation was made. The newes thereof being brought to the Irish cavalry encamped about Ennis; several persons came from thence the next day to the English camp, as the Catholick Primat<sup>1</sup> of Ireland, the Archbishop of Cashel,<sup>2</sup> the Earl of Westmeath,<sup>3</sup> the Lord Dillon,<sup>4</sup> the Lord Galmoy,<sup>5</sup> Major-General Sheldon, Collonel Purcel, of Loughlmoe, and some others: who, having dined with General Ginckle, went thence into Lymerick. On the next morning, being the 26th, the Earl of Lucan, Brigadier Wahop,<sup>6</sup> and two Brigadiers more went from the town to the English camp, for to lay the fundation of a treaty. Which being don, hostages were exchanged in the afternoon. Those of the besieged were the Earl of Westmeath, the Lord Iveagh,<sup>7</sup> the Lord Lowth,<sup>8</sup> and the Lord Trimleston. And those of the besiegers were the Lord Cutts, Sir David Collier, Collonel Tiffin, and Collonel Pyper.

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"74. We are now upon perclosing the warr of Ireland, that unfortunat warr to the Irish: unfortunat thro' the fault of some particular persons, tho' the generality bravely demeaned themselves, or were prepared to do it, if brought to a tryal. But ere we actually end it, we think fitt to form a discourse upon the subject of this treaty for a surrender.

<sup>1</sup> Dominic Maguire.

<sup>2</sup> John Brennan.

<sup>3</sup> Thomas Nugent, fourth Earl of Westmeath.

<sup>4</sup> Theobald, seventh Viscount Dillon.

<sup>5</sup> Piers Butler, third Viscount Galmoy.

<sup>7</sup> Brian Magennis, Viscount Iveagh.

<sup>6</sup> Wauchop.

<sup>8</sup> Edward Bermingham.

"75. In the first place, we putt the question, how comes it, that the French and Irish commanders within Lymerick are so ready to deliver up the town, and make peace with their enemyes? The answer is: because they cannot hold longer the place, as being invested on both sides; and by reason that they have lost communication with their horse.

"76. We reply first: that this case did not oblige in the last campagne an inferior garrison to yeald the town, at that tyme much weaker, to a potenter army under the Prince of Orange. For this Prince could have better surrounded the town, as having much more numerous forces; and as finding noe opposition to pass the Shanon, by reason that the river was then fordable in several places thro' the dryness of that summer; and the Irish had noe guards on the fords. And de facto a party of the besieging army trajected to the other side, and again re-passed. But the truth of it is: the Prince of Orange did not judge the investing of Lymerick on Toumond side to hasten the surrender of the town. And he is in the right of it: which is our second reply. For of this opinion all precedent Generals have been, who had besieged that citty; and, namely, General Ireton in the dayes of Cromwell. And they give for reason, because there is noe passing into the town from the county of Clare side (supposeing a breach to be made in the wall) but thro' the river, or over the bridge. The river on each hand of the bridge is generally not fordable. And the bridge is easily broaken; and easily defended, because it is narrow, not capeable of more than six men in abreast, and is above eighty yards long; on which a discharge of a few firelocks would make a barricade of the bodies of the assaylants. Now in this case, what could General Ginckle do for the forcing the garrison to a surrender, if they were resolved to defend themselves, as they were in the precedent summer? He had made some dayes before this, a spacious breach in the north wall: and yett he durst not once make an attempt to mount it, for the reasons we spoake of above. And here he will find stronger reasons against his ascending any new breach, that he can make. For first, when will Ginckle be able to compass it? He must spend three dayes in bringing his battering pieces from one side of the river to the other, and in planting of them. He will consume six dayes more in forming a breach, and in preparing to enter it. Here rises the quære: whether that General would remain so long at an uncertainty of gaineing the town? because his army suffered, before he crossed the river thro' scarceity of provisions, as it was owned afterwards by some of them: and they expected noe supply, till they had gon into winter-quarters. Prudence tells us that he should not have dou it. Secondly, where will General de Ginckle make a breach in the west-wall? It is in vayn to do it on either side of Toumond gate: because in that case his men must pass thro' the river, which was there not fordable. The onely place he had to make his breach upon was the said gate: and his onely passage into that breach was on the narrow-bridge. This project is not compassable, as you shall see. For if he breakes down the wall above and adjoyning each side of the gate, he makes a notable barriere to his ingress. If he can carry cleanly away the gate itself: then the entrance is too narrow for his purpose, as not capable of above four men in rank. Neither will we allow him the bridge for his pass. For besides the stoppage of the draw-bridge thereon, the garrison could have broaken down two or three arches, before Ginckle could raise his battery. And if he were so fortunat, as to have the bridge entire; yett he had the like misfortune here on his left flank in entering the town upon the said bridge, as he had at the breach of the northern wall. For the garrison had a battery in the

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island of Lymerick near unto the bridge: which they could immediately turn against it, tho' at first rayved against the ford: and was not dismountable, by reason of its lowness. And lastly, if Ginckle's men should enter the gate, what was the sequel thereof? They were immediately impounded. For in the space of a few howers the besieged could have cast up a retrenchement on the right of the ingressors from the King's castle across High-street: and on the left from the churchyard, athwart the same street. The walls of the howses tho' demolished by the enemy's canon, was barricade enough in their front: so that this was a worse pinfold, than that of the last summer erected before the breach the Prince of Orange had made: out of which his men were driven to the rayseing of the siege. Which is generally the fortune of attacking forces, when they can not spread after coming within the wall. We have read, and we see in these dayes, that a moderat resolut garrison by the heelp of barricades within the town, hath faced a great army to rayse the beleagur after entering the breach; tho' tis not common.

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"77. As to that reason of surrendering the town, because the garrison lost communication with their cavalry, it is of noe moment. For the garrison of Lymerick the last year, when besieged by the Prince of Orange, was deprived of the horse; and yett preserved the city. Neither is it at all required or practised in the defence of fortresses to have horse unless a few, and this in some certain towns. The Irish horse being separated from the place, might have more contributed to rayse the siege, provided, in that separation, that they entered into the province of Leinster. For in that case the hostil cavalry would be obliged to follow them, as I said before: and their infantry could not in safety stay behind, as it appeares to the considerer of the strength of the garrison. These are the two onely reasons, which were given to the publick for surrendering Lymerick: and which are proved null. For of provisions and ammunition they had plenty. Moreover, they dayly expected a fleet out of France with all necessaries for man and horse even to the next campagne. And de facto it arrived at the mouth of the Shanon within sixteen dayes after the town was delivered to the besiegers. Which shoves, that the Most Christian King was altogether for preserving Lymerick; and that he doubted not of its baffling the enemy, as it did in the year antecedent. This sending of such considerable stores doth also indicat, that his Majesty was for continueing the warr of Ireland; and that for this end he would send a reinforcement to the Irish army in spring following: the which the Duke of Tyrconnel had requested, a litle before his death, even for the present season, if possible; but could not obtain it for that juncture. The monarch of France had powerful motives for keeping on foot the Irish warr. For thereby he could sooner dissolve the hostil Confederacy abroad, as retaineing the power of England (on which the League much depended) here in Ireland employed: and in sequel thereof that Prince would be able to restore sooner the banished King of England, according to the resolution he had most generously made. 'Tis for these reasons, that the King of France conceived afterwards great indignation at the surrender of Lymerick; because it frustrated his mighty expectations: and was hardly dissuaded from punishing severely Monsieur la Tour, the Governor: and the two French Lieutenant-Generals for that rendition.

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"78. Behould then how tenable Lymerick was against the besiegeing army. What was it, therefore, which moved the chief commanders of the town to give up the place, and to bring the Irish-Catholick nation under

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the heavy yoke of an usurped government? We answer first, that it was not any solid reason or necessity, which induced them to this submission; tho' they had their concealed reasons for doing it, besides their pretended ones, which they published. Hence proceeds our second answer, that it must be a settled resolution (which they had made) that influenced them to determin the warr. When this resolution was formed, it is not made known unto us: but we believe, that it was don since the death of the Duke of Tyrconnel. I have received an account from one of the Collonels, who were with Brigadier Clifford in that night, when the English passed the Shanon a mile above the town, that he had heard a discourse some dayes before that passage, of surrendering Lymerick. This being so, we may sett the quære, whether the investing of Lymerick on Toumond side, had not been a concerted plott of som persons in the Irish army with General de Ginckle, in order to give a pretence to the party on the Irish side, for the giving up of the place? The affirmative is more apparent. For General de Ginckle was knoweing in his station: and therefore he understood at the beginning of the seige, which was the best way of takeing speedily the town at a season, that allmost was at an end. As intelligent as he was; and as late as was the season; yet he used not this medium of beguirting Lymerick on the county of Clare's side, till the 22 of September, after lyeing before the wall about a month; and after makeing a breach in one part thereof; and, in fin, after not dareing to mount it. That General knew also perfectly well, that he had not army enough to surround the town effectually against so numerous a garrison; which was as much in number, as his infantry, besides some horse and voluntiers. He could not but be perswaded that he must make a breach in the wall on the other side of the town: that he must enter it before he could take the place: that still the same danger remained, as there was in ascending the breach on the north wall, from which he thought fitt to abstain: and lastly, that if he should venture an attack, there was a strong probability, that he would be repulsed, seeing a more powerful army in the summer before was frustrated by a weaker garrison. What is it then, that induced General de Ginckle against reason and experience to divide his host after a month's beleagur, and with part of it to traject the Shanon, and invest Lymerick on Toumond-side? 'Twas not the potency of his troops, as all skillful persons will admitt. For first his whole army (not above 20 thousand, as I touched before) could not pass the aforesaid forde, if Clifford had duly executed his trust with his four regiments of dragoons, some companyes of foot, and a small battery of canon with a retrenchment made at the place of trajection. And, secondly, could so experienced a General, after passing the ford, expect to carry the very town extraordinarily well garrisoned with the trajected moyety of his army by a breach, to which there was noe access, but by a very narrow bridge, tho' kept entire; and which might be easily barricadoed, without-side of the gate, with a hundred materials that were in the town; tho' noe retrenchment should be made within? But surely Ginckle could not dreame to frighten with his flyeing camp that puissant garrison to a rendition by his bare appeareing before Toumond-gate without a stroake, without a shott, without a breach in the wall? That garrison, I say, who dared his whole army but a few dayes before? On the other hand could it be imagined that such a garrison, a mastering garrison, would surrender without a blow to the moyety of their late baffled enemies? If this were don within the jurisdiction of France, I question if one of the commanding officers would escape punishment: at least the

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Governor would pay for it. It is comical to hear the great commanders of Lymerick blame Clifford for not defending the pass of the river : and yett they themselves with as much ease do yould the fortress : as if, forsooth, the preservation of the town depended on the defence of that forde. Yett the same forde was open to the Prince of Orange the last year : and neither he, nor General Ginckle, nor the other Generals found any benefitt thereby. They were at that tyme att loggerheads. But, since, they have found out, that appeareing before Tuomond-gate with six or seaven thousand men, will oblige an immediate surrender. What would not the Prince of Orange have given for this knack in the campagne precedent, especially after he was repulsed at the mounting of the breach he had made? What likewise would not General Ireton have bestowed for such a point of skill, when he besieged the same town in the year 1650 ?

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"79. Out of the premisses we may gather, that Ginckles traversing Clifford's forde, and beguirting the town on Toumond-side was don permissu superiorum, in order that those superiors within the city might have a pretext for delivering that fortress and thereby for concluding the unhappy warr. What end they had by that conclusion, I dare not be positive in my opinion. The matter of fact affords a suspicion, that some persons concerned in this affayr, had the obtention of gould for their end. There is an opinion that a few of these great officers were for a peace, because they were tyred out in houlding warr in Ireland after a slavish manner : and for that reason they would fain remove it into a forraign country against the Prince of Orange and his allyes ; where being in conjunction with the French forces, and encouraged by the pay and other comforts of his Most Christian Majesty, they might better serve their own King in contributing to his speedy restoration. If this consideration had been delivered to the Irish army, before the capitulation was concluded, it is probable it would draw the whole host into France ; because it savoures of honour, and of love to the King. This project would prove effectual, if after landing in France, the army with a moderat reinforcement, of French under the conduct of a Mareshal, were transported into England. It is true : the Most Christian King try'd this very point in the summer immediately followeing, when the invadeing army of Irish, English, and French was encamped on the coaste of Havre de Grace in preparation to be transported, as soon as the sea was made clear by Admiral Turvil,<sup>1</sup> and by the promised assistance of Mr. Carter, the English Rear-Admiral : But the enterprize miscarried by Carter's treachery, as we shall see beneath. The further end of this peace, was repose, which several officers and some part of the souldiery coveted : because they were weary of that warr, wherein they had suffered so much thro' want of provisions and money. Which is so certain, that it is to be admired, how subjects would willingly endure such misery for their Prince. However a great many officers and the much major part of the souldiery were against the determination of the warr, because they had an aversion to becom subjects to a Protestant usurpation, as knoweing the non-such calamity thereof. And truly they had the best reason on their side, as you may observe in the precedent chapters of this our history. The Irish gentlemen, who, upon the peace of Lymerick, have remained in their country under the usurped regency, have learned this truth ever since to their

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<sup>1</sup> Tourville.

woe. It is likely, that many of them would have transported themselves into France, with the rest of their brethren, at the surrender of that city, if they had been perfectly sensible of it at the forming of the Articles of pacification.

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“80. But that, which caused very much the generality of the Irish army to yeald to a treaty of surrender and peace, was as followeth. The Irish nobility and the lesser people then at Lymerick, were a multitude of levellers; there being not any one in the nature of a directing and swaying head to effect, since Tyrconnel's decease; tho' som men there were by their stations, as governors of the rest. To speake it in clearer terms: there wanted a *pater patriæ*, a father of the country: that is, a man all on fire with zeal to preserve his country, his religion, his liberty, and his King's prerogative: and at the same tyme, a man commissioned with the highest power, and of an authority amongst all or at least amongst the major part, uncontrollable: and who understands both his own and the enemy's present condition and future. Such a person *as this* in all parts there was none there at that tyme. Som patriots there were zealous enough: but they either wanted sufficient quality, or jurisdiction, or a knowledge of what was best to be don, either to continue warr, or make a peace. In which state that abridgement of the Irish nation inclosed within the walls of that city, seemed to be a flock without a shepheard: and therefore 'tis not to be admired, if they went astray in making the best choyce. The want of this person so described proved the principle cause, that the Irish army consented to putt a period to the warr. If the Duke of Tyrconnel were then alive (I utter it with certainty) he would not hearken to any offer of a surrender: because he expected to retrieve the country by spinning out the warr. He grounded his expectation upon the courage of the army made evident unto him by the battle of Aughrim; and upon the reinforcement, he was to receave out of France in the followeing spring. It is true there was within Lymerick at that tyme som persons, who were superior to the rest by their posts: as was the *Sieur la Tour*, Governor of the garrison: and the *Sieur D'Usson*, and the *Chevalier de Tessé*, Lieutenants-General, and Commanders-in-chief of the army. But these were strangers, and were ignorant of the oppression the Irish lay under from a Protestant government: and therefore from them not any remarkable zeal was expected for houlding out the town. And tho' fear of their own King might have obliged them to defend obstinately the town: yett, being at that distance, they could satisfy his Most Christian Majesty with som plausible reasons, which would be of noe value to a man thoroughly knoweing in the condition of Lymerick. There was also three Lords Justices, or regents of the Irish nation, which had the power of determining whether warr should be continued or a peace be made, viz. Chancellor Fitton, Sir Richard Nagle, and Mr. Plowden: of all which I spoake above. These honourable persons had loyalty enough; and zeal for the welfare of the Catholick people. But whether they had skill enough to overrule the remonstrances for a surrender, which the great officers of the army made, is the question. At least they appeared not to have authority enough for commanding what was best to be don in that declension of the Irish affayrs. Wherefore in those circumstances, a conclusion of warr must be embraced. And now that it must be so: Lett us see, what advantagious conditions, will the leadeing men of the Irish make for themselves, and for the nation in general.

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## XII.

[THE TREATY OF LIMERICK, A.D. 1691.]

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"81. You will say : why should this town presume to make conditions farther, than for the inhabitants thereof, according to the custom of besieged garrisons? We answer : this town is not to be compared, as to a treaty of surrender, with other towns, which have noe other dependencies than the happiness of their particular dwellers. The epitome of the Catholick people of Ireland, is within this citty ; within the body of horse belonging to the garrison ; within some towns and villages of the countyes of Lymerick, Clare, Kerry, Cork, Maio, and Sligo : all which lye under the protection and government of Lymerick. 'Tis therefore that Lymerick must make provisos for the nation is general. She is encouraged thereunto by the knowledge of her own strength : which is so great, that she can force the enemy to rayse his siege. By which the warr is prolonged, at least to the end of the next campagne. At the beginning thereof, the Confederat Princes will be compelled, without dispute, to strike a peace with France, as not being able to hould out any longer thro' the want of England's army and money ; which must be employed in the Irish warr. Hence immediately follows the dethronement of Orange, and the restoration of the King. General Ginckle understood very well this affayr by his granting better conditions to the garrison of Lymerick than are given to any besieged town whatsoever : tho' he gave not so good, as might have been extorted from him. Which was occasioned by the too easy compliange of the Irish Commissioners, who were appointed to treat with him.

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"82. The conditions which the Irish should have resolved to obtain, were three principally : a free exercise of their religion : the temporal liberty of subjects, and their propertyes. These three points they might have gained in their circumstances, without being judged too presumptuous upon an usurped government, under which they were to abase themselves. As to the first point : that they may serve God in chappells and houses, as they did in the reign of King Charles the Second, a Protestant Prince : that their bishops and prelates secular and regular may use their power over their respective flocks : that this state may be continued for eaver without molestation from King or Parliament either in England or Ireland. The concession of this article is easy to Protestants. For it takes nothing from them, which they had before the reign of James the Second. They keep still their lands, their tyths, their benefices, and their churches.

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"83. For the second : that the Catholicks may be equally under protection of the law with their fellow-subjects, the Protestants : that they may not be taxed by Parliaments, but as Protestants are : that the nobility and gentry thro'out the kingdom may carry arms, and use horses without restriction ; and not to be prohibited by any law or order, while they behave themselves peaceably. Neither is this condition to be deemed hard upon the Protestant Government. For it deprives not Protestants of any employment civil or military : nor endangers the state ; because the number of Catholick lords and gentlemen is insignificant, as to power, against the Protestant Government, which is in possession of all the kingdom and its forts : and is guarded by a considerable army, and by the assistaunce of England and Scotland. It is insignificant, I say, seeing the whole Catholick nation of Ireland



being siezed of all the realm (except Londonderry and Eniskillin) with some assistance from France did not defend their country against the combined strength of Protestants.

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"84. As to the third point: that all Catholicks whatsoever, who were possessed of estates, or of any rights in the reign of King Charles the Second, may be restored immediately without cost, whether those Catholicks, at the tyme of the capitulation, were within the Irish quarters, or in any other part of the kingdom, or in forraign countryes. Nor is this article of any difficulty to be granted. For not any Protestant is a looser thereby of any thing, which he enjoyed in a year precedent. And all these Catholicks together are but very few estated men in respect of the Protestants of Ireland. For of eight thousand Catholick heysrs, who claymed to lands of inheritance at the restoration of Charles the Second, there was not above five hundred restored, as we have mentioned before. p. 793.

"85. These three principal articles the Irish Commissioners obtained in part: so that their faylure was in not getting them entirely, as they might have don, if they had a befitting resolution. Yea, considering the necessity the Prince of Orange was in of an army at that juncture, for to assist his Confederats against France, and thro' that assistance for to support his crown, the Irish at Lymerick might have gotten much more beneficial conditions. But alas! misfortune accompanied them in carryng on the warr: and misfortune sticks to them in the conclusion. p. 794.

"86. And now it is tyme, that we reassume the treaty proposed about the rendition of this considerable citty. The [h]ostages being exchanged: the Irish government sent their proposals to General Ginckle on the 27th of September [1691]. One of them, as I was informed, was, that those Catholick gentilmen, who remained at home within the province of Leinster, and elsewhere, after the fight of the Boyn, as not being concerned in the army, and whose estates the Prince of Orange had seized upon, should be restored to the said estates. But General de Ginckle would not grant that article, as also some others then offered unto him. Upon which Irish Commissioners being appointed to treat face to face, went out of the town accompanied by som other persons of note to General de Ginckle's quarters on the 28th. The Commissioners were, the Earl of Lucan, the Lord of Galmoy, Collonel Nicholas Purcel, Collonel Nicholas Cusack, Sir Toby Butler, Collonel Garret Dillon, and Collonel John Brown. These Commissioners being arrived, General Ginckle sent immediately for his general officers, for to be his co-assistants in manageing the treaty. All being mett, they entered upon the business: wherein they had many a long and vehement debate. At last they came to an agreement allmost compleate in that same day the 28th of September. The few difficultyes, which remained to be settled, were putt off, till the regents<sup>1</sup> of Ireland for the Prince of Orange should arrive in the camp: who were sent for to signe the treaty along with General Ginckle, as the Irish Commissioners exacted. p. 795.

"87. On the 1st of October in the evening, the said regents or Lords Justices, Sir Charles Porter, and Mr. Thomas Coningsby arrived. On the next day the Irish Commissioners went abroad to treat with the regents, and General de Ginckle: and haveing stayed with them till 12 at night, they absolutely concluded the treaty, which was signed p. 796.

<sup>1</sup> See ante, under page 636 of the MS.

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and exchanged on the 3d of October 1691. In consequence of which the Irish delivered on the same day unto the English, their outward works, their stone-fort, and St. John's Gate, in that moyety of the city called the Irish town. The English town was reserved for the Irish army, untill they were ready to march to the city of Cork, for to be transported into France.

" 88. The articles of agreement for the surrendering of Lymerrick, and the countyes of Lymerrick, Clare, Kerry, Cork, Maio, and Sligo unto the subjection of the Prince of Orange, and of the Princess his consort, are divided into two parts. The first part is concerning the Irish who do remain in the kingdom. The second is concerning the Irish army, that is to goe into France. The first part contains thirteen articles, which are these in short :

p. 797.

1. The Roman Catholicks of this kingdom shall enjoy such privileges in the exercise of their religion, as are consistent with the lawes of Ireland ; or as they did enjoy in the reign of King Charles the Second. And their Majestyes (meaneing the Prince and Princess of Orange, as King and Queen of England) as soon as their affayrs will permitt them to summon a Parliament in this kingdom, will endeavour to procure the said Roman Catholicks such further security in that particular, as may preserve them from any disturbance upon the account of their said religion. This article in seaven years after, viz. in the year 1698, was broake by a Parliament in Ireland summoned by the Prince of Orange. For instead of strengthening it, according to the purport of that article, the said Parliament made a law for banishing in perpetuum the Catholick bishops, dignitaryes, and regular clergy, which was executed. The Parliament grounded their law upon their own interpretation of this first article without the consent of the Irish Catholicks, which in equity they could not do. For a party is neaver admitted judge, even among pagans, of the other party's right. And whenever a doubt ariseth upon any article of a treaty of peace ; the settling of that doubt, is usually left either to the mediator, or to commissioners appointed from both partyes. The Parliament flattered their tyrannical inclination by this, that in the dayes of King Charles the Second, the prelates and regular clergy were persecuted now and then for a year or two, more or less, upon some whimsy the government of England or Ireland conceived, as in the tyme of that perjured knave, Titus Oates ; or in the like juncture. But this case does not favour the breach of the first article of Lymerrick's treaty. For the persecution of the Catholick bishops and regular clergy, in the reign of Charles the Second, lasted but for a short while. But this banishment, tho' imposed by the Parliament without colour, is perpetual. Secondly : the Parliament seems ignorant in the nature of a peace. For a peace is in perpetuity : and not left arbitrary to either party to breake it or keep it. And of the same duration is every article therein reciprocally granted. For otherwise there would noe peace be eaver made in the world : because one party would not leave his obtained doom to the discretion of the other, for the taking it away or not, when that other should think fitt, and be able. Whence it followeth, that both sides would continue their animosityes to extremity, or so farr, untill they could gett an assurance from one and other, of liveing lastingly in mutual friendship ; unless som just and unforeseen cause should afterwards rise for the disturbing of the peace.

p. 798.

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p. 799.

" 89. Now to apply this to the first article of Lymerrick's pacification : we say, that the concession which the Irish Catholicks obtained in that article

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from the Prince of Orange, was, to enjoy perpetually the exercise of their religion, as they enjoyed it in the reign of Charles the Second. The indubitable meaneing of which is this: The Irish Catholicks shall be permitted to exercise for eaver without disturbance their religion in chappells and howses, without the splendor of churches, according as they exercised it in the dayes of King Charles the Second. This interpretation is essentially so genuin, that the words, 'as they did enjoy in the reign of King Charles the Second', cannot possibly, according to the nature of a peace, be referred to tyme or duration, because the duration of the exercise of their religion was interrupted now and then in the above said reign, and because the duration of a peace is perpetual, as this of Lymerick is. You will understand it better by this discourse. We Irish Catholicks do putt ourselves under the subjection of the Protestant Governments of England and Ireland, on condition that the said Governments will suffer us to exercise our religion in what manner, and as long, as those Governments shall think fitt. Here I ask of any unbyassed person, whether such an intent ever sprung in the brains of the Irish Commissioners, all Roman Catholicks, and perfectly knoweing that those, with whom they dealed in this point, were professed enemyes to their religion; and do snatch by custom at every occasion to suppress the same, as they have practised from the reign of Henry the Eighth unto this day? Sure, both partyes are equally bound to perpetuity. If the Prince of Orange will have the subjection of the Irish perpetual, the Irish must have the exercise of their religion perpetual after the exterior manner they used in Charles the Second's dayes. Wherefore we'll goe to the second article. p. 800.

"90. The second is: that all persons within Lymerick, and in the countyes of Lymerick, Clare, Kerry, Cork, Sligo, and Maio, shall be restored to what estates and rights they enjoyed in the reign of King Charles the Second: and all persons within the said Lymerick and countyes, who profess any calleing, as that of a lawyer, physitian, attorney, and the like, shall be permitted to exercise freely those professions. Out of this article are excluded all estated men, and professors of the above said sciences and arts, who were either prisoners of warr, or who otherwise were not within the said countyes and garrison of Lymerick at the tyme of this capitulation, tho' these last had borne noe employment civil or military for King James the Second. It was here that the greatest weakness of the Irish Commissioners lay, by not constraineing General de Ginckle to grant so easy a point, as I shewed above. But I would fain understand, by what authority does the Prince of Orange (tho' he were lawfull King of England) challenge a right of takeing to himself the lands of those gentilmen, who had not carryed arms against him, nor sate in council against his interest? If the rising of the Irish for King James the Second be reputed a rebellion to the Prince of Orange, as created King of England by the English people, it follows thence, that this new-made King, when victorious, cannot punish any subjects, but such as he finds rebels. This is a general principle of justice embraced by all Christian nations. But several Irish gentilmen amongst those, who were not within the above mentioned citty and countyes at the tyme of makeing the peace of Lymerick, were noe rebels, as being neither in army, nor in council against King William. It is therefore they cannot justly be punished by the said King, either in their lives or in their fortunes. The minor, or the assumption, is uncontroulable. For those persons were really such as I have described them; and even by the confession of the adversaries. The consequence then is inevitable. p. 801.

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p. 804.

"91. As to those gentlemen, who gott such civil employments as are Collectors, Justices of the Peace, and the like, from their lawful King, in the beginning of his reign, and held the same, untill their King was objected out of Ireland by another King, whom the people of England had rased, I start the question, whether the said gentlemen can be justly deprived of their inheritances, which they have from birth, by any authority, that is righteously inherent in monarchy? If they be reputed rebells; they must first, according to law, be arraigned, and with the formalities of the said law be convicted of rebellion. In which case, their lives are first taken away, and in sequel their estates; unless they were onely tenants for life. But nothing of this is observed in excluding the said gentlemen from their birth-rights.

p. 805.

"92. And, now that I speake of rebellion, I sett again the quære, how can the Irish at all be truly deemed rebells to the Prince of Orange by rising for King James the Second against the said Prince created King by the people of England? Was not James the Second acknowledged the lawful King by the three kingdoms, and as such did he not reigne four years? What should then oblige the people of Ireland to disown him their lawful Sovereign for the rest of his life? They had noe grounds of quarrell with his Majesty; and tho' they should have been oppressed by him: yett they did not think it just to vindicat their wrongs by his dethronement, as they observed in their comportment towards Charles the Second, who had injured them in the highest degree. Neither did the Irish see the people of England so tyrannized by the King, as to have any solid cause of dethroneing him: of which above. And of the same sentiment was all Europe, unless we may except the States of Holland; who perhaps will not discountenance subjects of other Princes to rebell, seeing they had made themselves a Republick by rebellion against the Crown of Spain: and who have de facto assisted the subjects of England to rise against their King by giving a fleet and troops to the Prince of Orange for that effect. Wherefore, why should the Catholicks of Ireland turn savages by destroyeing their lawful King without ryme or reason? That is a behaviour more suitable to hereticks; who in likelihood would become a sort of pagans or Atheists in a few ages, if it were not, that Catholicks, or the true believers, do dayly advertize them of their errours in worshipping God.

p. 806.

"93. But you'll say: that England, the principal kingdom of the monarchy, ought to be followed by Ireland in owneing or disowning the Kings of that monarchy. We answer thus: that the behaviour herein of the people of England is noe rule to Ireland, a distinct realm, a different nation, as having a Viceroy for Governor sent by the King as King of Ireland: also as having discrepant lawes: as having a Parliament of her own: so Judges and magistrats. Ireland hath never acknowledged her King to be chosen by the people; but to succeed by birth: nor her King to be deposable by the people upon any cause of quarrell. She knows more righteous things: and scornes to make heretical England her pattern in the point of righteousness. When the lawful King of England dyes; Ireland acknowledges immediately the person next in blood, be he Catholick or Protestant, to be the King of England and hers, whether the people of England consent to it or not: as she did when King Charles the First was dead: whose eldest son Charles the Second she owned as her true Sovereign, and signed that acknowledgement in characters of blood, tho' at the same tyme England rejected him: until being weary of her rebellion, she received him at

p. 807.

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last as her undoubted King. Therefore bring no more England as a prototype of behaviour towards the Crown unto Ireland. It is ridiculous in grain. For the people of England, since their fall into heresy, is a nation prone to rebellion thro' the depravedness of religion : And they have de facto deposed three Kings in direct succession, Charles the First, Charles the Second, and James the Second ; while the people of Ireland have fought against those rebels in asserting the rights of those same Princes. England is a nation without conscience or fear of God, as we proved it above in their demeanour towards their lawful Sovereigns and their fellow-subjects, since their unhappy desertion from Rome : while the Irish Catholicks have showed themselves honest men in giving every one his due : to Cæsar, what is Cæsar's ; to God, what is God's : to fellow-subjects, what is theirs, by not invading their lands or their goods : and, lastly, in suffering to extremity, because they would not turn knaves with the knaves of England against the Lord's annoynted, and the good subjects, which if they had don, they would have kept their estates unto this day, as the other villians of the monarchy did. Moreover, you are to know, that England, separated from the lawful King, has no more right in Ireland, than has France or Spain ; or hath Ireland in England. So that each nation of the three, viz., English, Scotch, and Irish, is independent of the other two : but all are depending on the King. Hence it is, that, if the blood royal be extinct, every one of the three nations may choose a distinct government. These independencies are sufficiently proved in books, that are obvious. Which spares me labour in this place. Wherefore, what authority the people of England challenges or exercises over Ireland is meer usurpation : and is don in a strong hand. If the Irish had been as wise as courageous, they might have often made England pay for her arrogance : and they are able to do it yett by a fayr tryal in the field, where neither ignorance in Generals, nor treachery in officers of great trust, have any admittance. There is noe difficulty in believing this if you consider their bravery abroade. It is the same at home, when they are lead regularly to the combat.

" 94. But. to return to the second article of Lymerick's capitulation : out of it are also excluded the very infant heys of those fathers, who had served the King against Orange, and dyed in his service before the said capitulation ; or who, being alive, were not within the aforementioned countyes at the tyme of makeing those articles ; provided that the said fathers had not been tenants for life of their estates. Thus the innocent children must starve for want of bread, tho' they be the issue of Lords of lands. Thus they must be punished, because their fathers were honest men, and sticklers to their lawful Prince. Behould a sweet government. sett up by the godly people of England ! Behould a religion amazingly reformed !

" 95. The third article gives the benefitt of the second to all Irish merchants of Lymerick, and of the other garrisons now in possession of the Irish, and of any other town or place in the countyes of Clare or Kerry, that are absent beyond the seas ; provided that they have not boren arms against the Prince of Orange since February, 1688, ould stile, that is, 1689, stylo novo : and provided that they return into Ireland within eight months from the date hereof.

" 96. The fourth article allows the advantage of the second to particular persons abroade in France, as are Collonel Simon Lutterel ; Captain Rowland White ; Mr. Maurice Eustace, of Yeomanstown ;

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and Chievers, Lord of Mount Leinster; provided they com back to their country within the space of eight months.

"97. The fifth grants to those persons comprized in the second and third article a pardon of all attainders, outlawryes, treasons, misprisions of treason, præmunires, felonyes, trespasses, and other crimes and misdemeanours whatsoever, which have been committed by them since the beginning of the reigne of King James the Second.

p. 812.

"98. The sixth article settles the kingdom by prohibiting law-suites, and such animosities, between privat persons on King James's side comprehended in this capitulation; and others, who were for the Prince of Orange, upon the account of takeing away from one and other, horses, money, or other goods in the time of the warr.

p. 813.

"99. The seventh permittes all noblemen, and gentlemen within the second and third articles to make use of a sword, of a case of pistols, and of a fusil. This article was broake in the summer followeing. For they disarmed surprizingly all the Catholicks of the kingdom, when they heard that the King came to the coasts of Normandy, in order to be transported into England with an army: of which beneath. A Parliament, sitting in Dublin in autumn followeing, made an act that noe Catholick, included in the Treaty of Lymerick, shall henceforward carry a sword, or fire arms, unless he be worth a hundred pounds per annum: and that such a qualified man must have special leave in writeing from the Government for beareing those arms. Since that tyme but few gentlemen have woren a sword. And those few have been often disarmed in a most rude manner, as if they had ported arms without license, whensoever the Government of England dreamed or pretended any danger from the King of France: whereas those Irish gentlemen did expect, upon any solid occasion, to loose their arms by proclamation commanding them to deliver them up to such and such ministers of justice, since they had carryed them with the good permission of the regency.

"100. The eighth article gives leave to the inhabitants and residents of Lymerick, and other garrisons of its dependance, to remove their goods from thence without being viewed or searched.

p. 814.

"101. The ninth obliges the Catholicks contained in this treaty. to make noe other oath to the Government of England than that of allegiance. This article hath been broaken since, both in intent and in fact. For two Parliaments in Ireland have strained to pass an act, that the Irish Catholicks, even those comprehended in the articles of Lymerick, as well as Protestants, shall be bounden to take an oath against their religion, it being against the Pope's spiritual power; and this under the highest penaltyes. But a party in those Parliaments was prevayled upon not to suffer that law to be made afterwards, and in this year, 1703, the Parliament of England in the regency of the Princess Anne of Denmark, or otherwise Queen Anne, have made an act, obligeing, upon severe punishment, all persons in England and Ireland, beareing employments civil and military, and using professions of gaineing a livelyhood, as those of lawyers, attorneys, schoolmasters, preachers, sollicitors, and others the like, to take the oath of abjuration: whereby they swear, that James the Third, King of England, now residing at St. Germain in France, hath not any title whatsoever to the Crown of Great Brittain. Out of this oath are not exempted the Irish Catholick lawyers, attorneys, sollicitors and other professors of

p. 815.

calleings, who are comprized within the treaty of Lymerick. Which oath if they refuse, they are ipso facto debarred from exercising their arts and sciences. You see here there is noe depending on the solemn faith of our Brittish hereticks; tho' publick faith is the greatest tye that is made between man and man, between nation and nation. It is sacred amongst pagans, and, if any side infringe it, the rest looks upon them to be not human. What can mankind do without the observation thereof? There can be noe commerce: noe peace: and all things must fall into a chaos. The Government of England will have the Irish to observe their part of the mutual obligation: and yett the said Government will not fulfill their own; which is against natural equity. For all compacts of this kind are reciprocally binding by the law of nature. Which law cannot be overruled by human statuts; as it is known to every man, who understands exchangeing, buyeing and selling: and therefore I may spare my labour in expatiating thro' a field of discourses, for the proveing the villany of the breach of publick faith: onely I will putt these perfidious people in mind of the punishment God inflicted on Isreal for three years, and particularly on the family of Saul, in the 21 chapter and second book of Kings, for breakeing faith with the Gabaonits. p. 816.

"102. There are four articles more of civil capitulation: which we will not here insert, leaving the perusal of them to the reader in a book containeing at large the Treaty of Lymerick. The military articles, for the transportation of the Irish army into France, are excellently well don: whereby all persons whatsoever thro'out the kingdom, as well the Irish army as others may, goe into France, or into any other forraign country. But the army shall not carry above nine hundred horses out of the realm. The garrison of Lymerick is to march out with arms, baggage, drums beating, match lighted at both ends, bullet in mouth, colours flyeing, six choice-brass guns, two mortar-pieces, and with half the ammunition of the town. The other Irish garrisons of the above-mentioned countyes are to march out also with the like honours. For the transportation of the Irish forces into France, General de Ginkle is to furnish fifty ships, each ship of two hundred tuns: and twenty more, if need requires, with two men of warr. You may see the rest at large in 19 articles. p. 817.

"103. The next day, being the 4th of October, the peace was proclaimed at Lymerick, and in the English camp. On the 5th, the Irish cavalry, that was encamped at Ennis, came close to the citty: the foot-garrison thereof, for the most part, went out, and joyned them. Here, before the Irish army, it was declared that they had liberty to dispose of themselves as they should think fitt: either to goe home and live peaceably in the kingdom: or to continue their service unto King James in France under the banners of the Most Christian King: or, in fin, to com under the pay of King William, as now he must be called by his own subjects the Irish. The invitations made to the Irish souldiers for embracing this side or that side were powerful. But at last the result was thus: all the estated men stayed in the kingdom, in order to enjoy their estates: except the Lord of Galmoy, the Earl of Lucan, Collonel Garret Dillon, Sir Maurice Eustace of Castlemartin, Collonel Gordon Oneil, Collonel Barret, Lieutenant-Collonel Nugent of Dardistown, and Captain Arthur of Hackettstown. There was som other Lords of lands at that tyme prisoners in England, as, the Earl of Tyrone, the Lord Baron of Cahir, the Earl of Clancarty, the Lord Baron of Slane, and a few others: besides what were with the King in p. 818.

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France, as, the Earl of Lymerick, Collonel Dudley Bagnal of Dunlickny, Collonel Symon Lutterel, and a few others.

p. 820.

"104. But the Earl of Lucan, the Lord of Galmoy, Brigadier Patrick Plunkett, Collonel Garret Dillon, Brigadier Ruth, Collonel Gordon Oneil, Major-General Sheldon, and som other principal officers, being desirous to follow and serve the King abroad, drew after them about twelve thousand of the army. The third division was the lott of King William: who by General Ginckle's means gott about 5,000 of the Irish host, with som considerable officers, to com under his pay.

p. 821.

"105. Here we must observe, that this behaviour of the Irish gentilmens, who turned to the Prince of Orange is base. For they are foes to their country by sideing with her enemyes. They are slaves in their nature by voluntarily serveing usurpers: they are in som measure rebels to their King by positively engaging themselves in the service of his dethrouer: they betray the cause of their religion, in strengthening the party of hereticks, who actually use their endeavours to extinguish it at home and abroad. These gentilmens have a fall in the path of honour (which is pitty) by embracing the interest of rebels, after having so bravely fought against them for three years.

p. 822.

"106. What excuse can they have for this dirty action? It was not want, which moved them thereunto. For som of them were to regain, by the Treaty of Lymerick, lands of inheritance and farms. Others were able to take farms for their livelyhood. And if they were to have neither land nor farm, yett, being resolved to continue a military life for maintenance, they should in honour goe with the rest of the army into France and serve their King under the pay of the Gallick monarch. But the matter is this: these gentilmens despayred that ever the King would be restored: and so were sure, that the government of King William was in perpetuum established. Whereupon they judged it fitter in those circumstances to lay aside that nice honour, and to embrace lucre tho' rordid: which they proposed to themselves to have in plenty by settled imployments in their own country, without being obliged to goe to the Confederat warr abroad; and this, besides enjoyeing their estates and farms.

p. 823.

"107. This was the paradise, which these new Williamits expected to have to themselves and to their heysrs. But they found soon, to their sorrow, that all was a dream. For their new master thought it not safe to trust his new servants: and so he sent orders out of England into Ireland, in January followeing, to disband all the Catholick forces, except 1,400 choice men of them: which were to be divided into two battalions, and to be given to Baldarg O'Donnell, and Collonel Wilson. In a little while after, a second order was sent to break all Irish Catholicks whatsoever. A third order was sent, in March followeing, to rayse five companyes of Catholicks, a hundred to each company: and to be sent under the Lord of Iveagh to the Emperor's service, which was don. They were shipped off in summer: they landed in Holland: and being com into Germany, the Emperor sent them into Hungary against the Turk. Where all of them (very few excepted) dyed of the plague and other sicknesses, within a year after their arrival.

"108. This disappointment of our gentilmens in their expectations hath brought them down between hope and despayr. For in the future, when the rightful King is reinthroned, it will likely not goe well with them: as it will not with such Governors of towns as had easily surrendered



them to the enemy : so will it not with those Catholicks, who turned Protestants, for to temporize dureing the usurpation : nor with those others, who have had the common fame of being dishonest in the discharge of their trust, civil or military : nor with those, who vilified the King's authority in contemning the Viceroy Tyrconnel at Lymerick, and especially at Athlone; of which above.

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### XIII.

#### [DEPARTURE OF THE IRISH ARMY TO FRANCE, 1691.]

"109. All things being prepared for an evacuation of the town [Limerick] : the two regents of Ireland for the Prince of Orange, Sir Charles Porter, and Mr. Thomas Coningsby, departed from the English camp on the 7th of October, and returned to Dublin. On the next day, the Irish gentlemen and others with their families, who had not been concerned in the army, as also those officers and souldiers, who were resolved to stay in Ireland without takeing any part under King William, began to leave the city of Lymerick towards their respective homes. Likewise on the same day a part of the Catholick host that was to goe for France, marched out of the said city for the harbour of Cork, where they were to embark.<sup>1</sup> The rest followed by intervalls. The last division of them quitted the town on the 1st of November. In a fortnight after Lymerick was surrendered, the expected French fleet, under Count de Chateau Renault, arrived about the 20th of October at Scatterry in the river of Lymerick, being 18 men of warr, four fire-ships, and 20 ships of burden, bringing victuals, ammunition, money, and all other necessaryes of warr. In this fleet was Collonel Symon Lutterel, who had taken great care for its speedy arrival, tho' afterwards the arrival proved too late. p. 824.

"110. When this fleet arrived, there was at Lymerick, in that moyety thereof which is called the English town, a good body of the Irish souldiers destined for France, who, now, with the assistance of the fleet might retake the other half of the city, and maintain it all winter, if they had a mind to breake the peace; and thereby they could renew the warr. For none of their army was shipped off as yett, and the English host was gon into winter quarters. But men of honesty will rather suffer than breake their word, which is a doctrin litle regarded by the Protestants of England and Ireland, as we shall see more beneath. p. 825.

"111. The French fleet being informed of the surrender of Lymerick, returned within a few dayes to France with deep resentment at their unexpected disappointment. There went aboard them a part of the Irish souldiers. The Most Christian King, hearing of this affayr, was in great rage, and was like to punish severely those commanders, (as above said) who had the chief hand in giving up the town, until receaveing some sort of apology for the fact, his Majesty was pleased to smother his passion. p. 826.

"112. The Irish troops being arrived at Cork, and the transport fleet made ready, the major part of them embarked<sup>1</sup> and sayled away about the beginning of December for Brest in France. Another proportion of them departed on the 22nd of December with the Earl of Lucan and several other officers. They all landed safe. In this voyage went

<sup>1</sup> A letter from Sarsfield, Earl of Lucan, to De Ginkel, dated 17th October, 1691, in relation to the embarkation of Irish troops for France, is reproduced on plate xc. of "Facsimiles of National MSS. of Ireland." Part IV.-2. London, 1884.

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along Chancellor Fitton, Sir Richard Nagle, and Mr. Plowden, who were the late Lords Justices for the King, as also the Catholick Lord Primat of Ireland, and a few other prelates.

p. 827.

"113. After the surrender of Limerick, the English army marched into winter-quarters on the 13 of October: there being left for Governor of the town, Sir David Collier with five regiments. General Ginckle came to Dublin, where he was received and entertained by the regency with abundance of joy and honour. And on the 6th of December following he took shipping at Dublin for England. The greatest part of the English army was in the next spring sent into Flanders, for to joyn the Confederat forces against the King of France. And some battalions were transmitted into Savoy under the conduct of the Marquis de Ruvigny, alias, Earl of Galway, in order to reinforce the host of the allies in that country. In the ensuing March, and on the 23d day 1692, new stile, King William by proclamation declared the warr of Ireland to be at an end.

p. 828.

"114. Here we cannot omitt to tell our opinion, that the King of France made a false step in the politicks, by letting the Irish warr to fall: because that warr was the best medium in the world for destroying soon the Confederacy abroad by reason that the Confederat Princes could not prolong the forraign warr without the army and money of England, which were employed in the warr of Ireland. The sequel of which would be the reinthronement of the King. At which juncture the forces of France and England by sea and land conjoynd, would give lawes to the earth. 'Tis this consideration, that hath made some to believe, that it had been better for the Most Christian Monarch to have minded in the first place the restoration of King James the Second, after the Peace of Reswick, than the enthronement of his grandson the Duke of Anjou. For in such case the Emperour would not have dared attempt anything, seeing both sea and land so barricadoed against him, as that there remained noe human possibility unto him to come at the throne of Spain.

#### XIV.

##### [LAST DAYS AND DEATH OF JAMES II.]

p. 950.

"61. But a most sorrowful subject calls us away from these ponderations of military affayrs. For we are come at last to a period of that life, which hath proved a spectacle to Heaven and earth. His Majesty of Great Brittain, James the Second, fell sick<sup>1</sup> at St. Germain in the beginning of September [1701]. For on the second day, new stile, being at mass he found himself so ill, that he was forced to be carryed unto his apartment. On the 4th, the physicians found him in such an evil state of health, as they judged it requisit to putt him to bed. At this the King sent for Father Sanders, for to heare his confession, and to prepare him for death. After his Majesty had confessed, he casted up a little coagulated blood, haveing not strength to vomit as much as was needeful: so that he was in danger of being choaked: which made him fall into a syncope. But being recovered, he earnestly desired the blessed viaticum, which was allready sent for to the parish church.

p. 951.

"62. In the interim the King called for the Prince of Walles, who seeing his Majesty in that sad condition, flung himself into his arms all

<sup>1</sup> See "Life of James the Second," by J. S. Clarke. London, 1816, vol. ii., p. 592.

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in teares. The King embraced him tenderly, sayeing, son, I have but four words to say unto you in giving you my blessing, which I give with all my heart : be a good Catholick : fear God : obey the Queen your mother : and adhere allwayes to the King of France. Here the physicians would have the Prince withdraw : but the King interrupted them, sayeing, 'Do not take away my son : lett me bless him once more.' And addressing to His Royal Highness : 'Neaver depart from the Catholic Church : we can neaver loose too much for God.' And some do say that the King added : 'If His holy Providence shall think fitt to sett you upon the throne of your ancestors, govern your people with justice and clemency, and take pittie of your mislead subjects. Remember, Kings are not made for themselves, but for the good of the people. Sett before their eyes in your own actions a pattern of all vertues ; consider them as your children ; aym at nothing but their good in correcting them. You are the child of voves and prayers : behave yourself accordingly. Be allwayes a kind brother to your dear sister, that you may reape the blessings of concord and unity.' At which the Prince was forced to retire. p. 952.

"63. By this tyme Monsieur Bennet, the parish priest of St. Germaines, arrived with the Blessed Sacrament. The King then said : 'See now, O my God, the happy hower is come, which I have so much desired ! Let us goe to God. Sir, I am prepared.' At this he devotedly receaved. A little after, he spoake thus to Monsieur Bennet : 'I charge you to tell the King from me, that I desire to be buryed in your church without any ceremony, pomp, or eloges. I am not worthy of them. I will have no other epitaph, than these words onely : *Hic jacet Jacobus Secundus.*' A rare humility in so great a man ! which gives shame to our little fops, who are proud for nothing. p. 953.

"64. Here Father Sanders proposed to the King the receaveing of the Extreme Unction, and his Majesty thereat desired it : which was administered unto him by the Prior Bennet. All this while the Queen remained on her knees in the chamber all drownded in sorrow, and praying for the King's recovery : who was much concerned for her Majesty, and endeavoured to comfort her. But at last she was obliged by the physicians to withdraw, both for the King's ease, and for her own. At the end of which the young Princess was introduced, all overwhelmed in tears. To whom the King gave his blessing with a deale of tenderness, sayeing : 'Adieu, my dear child ; fear God and serve Him all the days of your life : respect and obey the Queen your mother, who has been no less than myself, overclouded with calumnyes. But tyme, the mother of truth, I hope, will at last make her vertue shine as bright as the sun.' p. 954.

"65. In a little tyme after this, the Archbishop of Athens, being then the Apostolical Nuncio of France, entered the room to visit the King, who shewed great joy at his appearance, and sayd with a firm voyce : 'Sir, I am glad to see you, that I may make in your presence the profession of my faith,' which the King strongly performed. And then he added : 'I pray you, assure the Pope of my profound respects. Tell him that I dye a child of the Church ; and if it should please God to give me life, I would serve him and the Church better, then I have don.'

"66. Here we observe a noble zeal in the King for his religion, for the Church, and for the supreme Governor thereof. This is the behaviour of all saints : and saints they cannot be without it. Noe doubt, if his Majesty had lived to be restored, he would have exhibited an uncommon p. 955.

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ardour in restoring the worship of God to his dominions, from whence it has been banished for an age or two. But the royal infirm is fully possessed of true Christian patience at the shortness of his life ; and so his good intentions will be acceptable unto the All-seeing Deity instead of deeds.

p. 956.

"67. After this preparation for death, the King lived twelve dayes longer. In that while all proper remedies were applyed unto him : prayers privat and publick were made for the prolongation of his dayes, because thereupon depended the happiness of suffering nations. The Court of France was in a special concern for his recovery. The King and his brother, the Duke of Orleans, made his Majesty several visitts of charity and tenderness ; so did the Nuncio Apostolick, in the Pope's name, and by his orders. In the progress of his sickness, the Duke of Orleans, Monsieur, visiting his Majesty in an afternoon, and being returned to his pallace at St. Cloud, fell into a fitt of the apoplexy in the beginning of the night and dyed the next day about 9 in the morning, whose death proved very sensible<sup>1</sup> to the languishing King, because the Duke had been his most excellent friend, and most loveing kinsman.

p. 957.

"68. About ten dayes after the first preparation, the King understanding that he was passd recovery, notwithstanding so many exquisit medicus adhibited ; O how nicely he again prepared for his last scene, for to crown the long tragedy of his life ! What admirable acts of resignation he made to the will of the Almighty ! What conquests he made of all his passions, when armyes of such thoughts charged his royal brest, viz., that he had been Lord and Master of kingdoms and now has not so much of earth, as to repose therein that poor body of his, murdered by adversity : that he behaved himself mild and just to his numerous people in the government of them, as his sincere conscience before the All-seeing God assured him, yett he is wurrayed to death by those ungrateful nations : that he had given noe offence to forraign Princes ; yett he could gett noe pittie from them towards his misery, nor respect towards his dignity, unless from that Prince whom Providence had rayzed to give him bread : that he had suffered to extremity for the religion of God ; and yett the potentats of that religion have stood idle gazers of his sufferances, without stretching the least relief ; yea, have cherished his rebellious subjects in their wickedness : that he had shewed himself a tender parent to his elder children ; yett they have proved leaders in his oppression ; that he must give up his breath in a strange country, leaving the dear companion of his bed and condition in banishment, and his two young heapless children in the like fortune : and, in fine, leaving a world of loyal subjects a-bleeding upon his account It was at this tyme the King desired the comfort of receaveing again the Divine Sacrament, which was granted him. Upon this second. reception, he made his acts of forgiving all enemyes ; which at the first he had forgott. His words are these, more or less, as we have receaved them : 'I am now going to make my exit out of this miserable world : out of a tempestuous sea to a port of eternal rest, as I firmly hope thro' the merritts and passion of my dear Saviour. My integrity hath been oppressed with infinit lyes and calumnyes. I neaver entertained a thought, which was not levelled at the good of my subjects. O sweet Jesus, of thy infinit mercy, forgive the authors of them. I offer up all my sufferings in union with thine. Sweet Jesus, sanctify them to

p. 958.

p. 959.

<sup>1</sup> Sad, grievous.

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me for the eternal salvation of my poor soul. Forgive, sweet Jesus, my own bowells, who have risen up against me. Forgive the chief contrivers of my dethroneing. Give them grace to repent of their errors. Eternally prayed be Thy holy Providence, who by permitting me to be deprived of an earthly, hast given me better means to gain an eternal crown. I thank thee, sweet Jesus, for giving me the spirit of resignation among so many calamities.' Here it was that he exhorted his Protestant servants (calleing them by their names) to become Catholicks for their salvation. He particularly sayd thus to the Duke of Perth :<sup>1</sup> 'My Lord, I recommend to you my son: I have given him a good governor.' These heterodox gentlemen were not onely extremely moved to sorrow for the condition of their royal master; but also were moved to an excellent opinion of the Catholick religion by the pious behaviour of his Majesty. The Duke of Perth had the happiness to receive the light of faith in a year after. p. 960.

"69. Within two dayes before the King's death, the Monarch of France made him his last visit. But he first visited the Queen in her chamber: to whom his Majesty declared, that if the King should dye, he would owne the Prince of Walles King of England. Which was an extraordinary great comfort unto her Majesty amidst her extreme pangs of grief. And she made her acknowledgements for it in a befitting manner. At this the Prince was called into the room; to whom the Most Christian King spoake thus: 'Sir, you are goeing to loose the King, your father: but you shall allwayes find one in me: and I'll look upon you as my child.' The Prince casting himself at the King's feet (whom his Majesty took up immediately) answered: 'I shall allwayes, Sir, have for your Majesty the same respect that I have for the King my father. I'll neaver forgett the obligations I have, and I'll neaver fayl all my life, and in every place, to pay you all sorts of acknowledgements.' p. 961.

"70. This visit being over, the King of France went to see the King of England, and coming close to his bed, said: 'I am come to know, how your Majesty does, and to assure you that if God dispose of your Majesty I'll acknowledge and treat the Prince your son as King of England, and I'll have allwayes the same regard or consideration for him, that I have had for you, and desire to see him treated as such by all the world.' The standers-by raysed such a noyse by prayseing the King of France, and by weeping at the same tyme, that it was exceedingly difficult to hear the King answering. However, if we do not sett down exactly all the words, we keep the sense of his answer; which was thus. p. 962. I am goeing to pay that debt, which must be payed by all Kings, as well as their meanest subjects. I give your Majesty my dyeing thanks for this, and all your kindnesses to me and my afflicted family; and do not doubt of your continuance. I have allwayes found you equally good and generous. I thank God, I dye with a perfect resignation; and forgive all the world; particularly the Emperor and the Prince of Orange. Sweet Jesus, out of the infinity of Thy tender mercy, forgive them, and give to your Majesty the reward of your heroical bounty and goodness.' The Most Christian Lewis became so overpowered at the King's speech and dyeing condition, that he was forced to withdraw in bidding his last adieus unto his Majesty in these terms, as I have been informed: 'Adieu (with embracing him) my dear brother, the best of Christians, and the most abused of monarchs.' This Prince at his goeing off was con-

<sup>1</sup> James Drummond.

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p. 963.

ducted to his coach by the nobility and gentry of the court, English, Scotch, and Irish, with acclamations and tears; some of them flinging themselves at his royal feet, to testify the more their thanks for that most generous action.

p. 964.

"71. The King, after this farewell, lived two dayes. In which space it is inexpressible, how well he prepared for his long departure, his desired exit; murdering all hearts, who viewed him in that state. His last day being come, and a little before death, the Nuncio entered the chamber, and declared that he had received orders from his Holiness to give the Apostolical benediction unto the dyeing King; and accordingly he imparted it, which was a special mark of the Pope's tender affection for this Prince. In a short while ensueing this, the King having commended his soul into the hands of his Creator, he expired with a smile a little after three a-clock in the afternoon on Friday the sixteenth of September, new stile, and the 5thould stile, 1701, in the 68th year of his age, and in the 17th of his reigne, of which he kept possession of his throne near four years, and the other twelve and seaven months he was forced to consume in exile.

"72. Behould here the great sacrifice of a King wholly consumed at last in the fire of tribulation, which his Protestant subjects had kindled and kept a-burning for 23 years. For the persecution of this Prince, rayased by the people of England, began seven years before he ascended the throne, viz., in the year 1678, when he was accused to have had a hand in the plott of Titus Oates, and when at that tyme the Parliament resolved to disinherit him of the Crown for being a Catholick, as we have mentioned above. Which persecution continued privately and publickly without interruption 16 years more unto his dyeing day. We fermly hope that these long and heroick sufferances, being for religion and justice, have not onely obtained mercy for him at the throne of the All-High; but will also procure a happy inthronement to his royal son, and lasting joyes to the afflicted people of the British monarchy.

p. 965.

"73. The life of this Prince in his last 12 years is a most excellent book of spiritual instructions. Wherein you will reade amazing patience in the highest adversity, stupifyeing humbleness in a crowned head, a non-such contempt of the world in a monarch, and a signal devotion in a great sovereign. Our pious James made frequent retreats to the convent of La Trap[pe]; wherein at every tyme he spent several dayes in spiritual exercises, leadeing the life of a monck. In the year 1696, when he went to Callis, in hopes to transport himself and an army into England, (of which above) he began the devotion of receaving the divine communion twice a week; which he afterwards observed to his dyeing day. His voluntary pennance is to be admired. For he wore on his feeble body an iron chain: and used the disciplin on his tender flesh. He took comfort in visiting the monastery of nuns at Challiot, which had been founded by his august mother, daughter to Henry the Fourth of France, and in which her heart repositeth. He had several pious conferences with the lady of that family, Dame Frances Angelica Priolo: who among other discourses, condoloed one day with the King for his ill success in Ireland. 'His Majesty answered: It is just to submitt ourselves to the will of God.' The like comportment he showed at that fatal misfortune he received at La Hogue,<sup>1</sup> when he was most sure of

p. 966.

<sup>1</sup> A.D. 1692.

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entering into England, as he did upon all mighty calamities. At an other tyme, the aforesaid lady by observeing the King's disappointments in all his attempts, and his consummat patience therein, thought fitt to institute a comparison between his Majesty and St. Lewis, King of France, whose noble designs against the Saracens, the enemyes of Christianity, were wholly frustrated in those dayes. But the King gave his humble answer: 'Alass! mother, do not compare me to that great saint. It's true, I resemble him somewhat in my misfortunes, but I am nothing like him in my works. He was allwayes holy even from his youth, but I have been a great sinner. I ought to look upon the afflictions which God hath sent me not as tryalls but as the just chastizement of my sins.' This makes me think on that judgment, which the King passed in a letter to the Bishop of Autun upon his miscarriage at Callis in February 1696, after the King of France had most prudently settled that descent upon England. Which judgement was, that his Majesty believed his journey to be obstructed by the will of God, as decreeing that his restoration should not be at that tyme, and therefore he said 'we ought to believe, that all God does is for the best.' So in this sentiment he bore that disappointment in a perfect longanimity, which made him more and more aspire after the future happiness, and slight the present. It was this consideration which made him say, that he looked upon the Prince of Orange as one of his best friends. For none had done him so much true good, as he, because that Prince, even in his evil designs, was made use of by Almighty God, for doeing good, that is, for chastizeing the King, and so for makeing him enter into himself. And when the King by this chastizement came to understand the difference between temporal and eternal happiness, he thanked the goodness of God for humbleing him, because it is a mark of salvation; yea, he expressed his thanks unto the same Providence for takeing away his kingdoms. For by that means he was rouzed from the lethargy of sin to the knowledge and performance of his Christian duty. This now his perfect quest after the crown of glory made him become indifferent for the resumption of the British dialem as for his own personal satisfaction, which he declared. But he opened his desire of being reinthroned upon the account of his children, and of his suffering subjects. p. 967.

"74. After this manner the great King of England passed the twelve concluding years of mortality in his exile, wherein he laboured and suffered much for the præmium of eternity. 'Tis then he comprehended that we must not expect to be in pleasure here, and in pleasure there. No, mortal, it must not be thus. 'Tis onely the alternative is left to our choice. Abraham hath told us as much in his answer to Dives, who amidst his flames begged a litle comfort from that Patriarch; but was denied, because he had enjoyed the good things of the earth. The same sentence pronounced the God of nature, when in flesh He conversed among us: woe unto you, rich men, who have your consolation in this world; and woe unto ye who laugh in tyme, for ye shall weep in eternity. There is noe jesting in this case, nor is Heaven such a toy, as to be gained for a song, whatever the strayed of religion think, and bad Catholicks. There are innumerable proofs of this position from the infancy of the world unto this present light, and among them our late monarch stands a monumental probat. And so we go on. p. 968.

"75. As soon as the King was dead, you may give a conjecture of the greatness of grief which seized all the pallace, which spread over the town of St. Germain's, which travelled through all France. So great love, so great veneration, so great compassion was due to the merritts of his p. 969.

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royal person. Excess of sorrow drove immediately the Queen into retirement at Challiot for a few days, the Prince and Princess remaining all drowned in lamentation. But in a few moments after the King's expiration, there began some comfort to appear in court. For the above mentioned Nuncio, by a precedent command from his Holyness, went to the apartment of the Prince, where having declared his commission, he acknowledged him King of England, Scotland, and Ireland. The same acknowledgment was made a little while after by the Envoy of Modena, the Abbot Ricini. In the evening comes an envoy (the Prince of Conti, as I was told) from the Court of France to own the Prince King of England and the other dominions. This was an action worthy of Lewis the Great, considering the juncture wherein he did it, viz., when a war was on his arm and when a greater was most certainly to follow upon the account of his acknowledging the royalty of that orphan Prince. In a short tyme ensuing, the Ambassador of Spain and the Envoy of Savoy did him the like justice.

p. 972.

"76. In three howers after the King's death, viz. about six of the clock in the evening, the body was exposed to publick view in the same chamber, wherein there was two altars erected. The clergy of the parish, the religious Recollects, and the Augustins came thither to say prayers. They sung the dirge in night. In the morning of the next day, being the 17 of September, masses began, and continued to noon. About four of the evening, the body was opened and embalmed. They found a great quantity of serosities in his head, the veyns, that convoy the water, by a third part greater than ordinary; two ulcers in his stomach; extravasated blood in his body; and his heart was much decayed. The opinion of the King's sanctity was so great, that now at the opening of his body, a number of people came to gett pieces of linnen dipped in his blood. The guards took their crevats from about their necks, and did the same.

p. 973.

"77. As to this monarch's sanctity; it is certainly true that there is nothing which runs a man sooner up to holyness than a perfect patience in affliction with a settled resignation to the will of God, and the reason is, because such a resignation is an absolut conquest of himself, which is the hardest province that a man can perform in this life. To say prayers, to fast, to hear mass, to confess and communicate and to give charity, are noble acts; but not so difficult, as a Job-like patience, according to experience. For we see dayly several persons discharge those Christian devoirs very handsomly. But when they are touched with some stroake of adversity or ill fortune, in their honour, in their worldly substance, or in their health, they become as mad at savages, which storm of impatience throws down all the former edifice. It is upon this fundation of unshakeable patience so many Christians in ages passed have rayzed the glory of being Confessors: that Job attained unto such sanctity: that David in his several afflictions became a noble pattern of imitation. It is by patience that we fly to the mount of holyness, while by other vertues we slowly walk. What wonder then, if King James the Second of England, arrived, at the declension of his life, to a remarkable sanctity, by a quiet and uninterrupted patience in the sharp misfortunes of twelve years, without weighing his acerbities of eleven years in precedence? His manner of departing out of this world doth demonstrat the truth of his holy state. A manner that is in extremes opposit to that of wicked believers, and of hereticks in general, who goe from the stage of mortality to the tribunal of the All-dreadful judge with as little feeling as any pagan dyeth.

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"78. The body being embalmed, was carryed at night to Paris in a mourning coach followed by two others, in which were the officers of his court, his chaplains, and Monsieur Bennet, the Prior of St. Germain: the guards du corps carryeing toarches of white wax. After this privat way (to comply for the most part with the will of the royal deceazed; tho' not in buryeing him in the parochial church of St. Germain, as he had desired) the body was decently deposited in the church of the English Benedictins in the suburbs of St. James, until p. 975. Providence shall think fitt to transfer it, by a happy restoration of the living King into England, for to bless that cursed land. His heart at the same tyme was brought to the church of Challiot, where it was received by those ladyes, the nuns, with much veneration. There it is to remain as a fayr monument of his gratitude unto a nation from whom he had receaved the comforts of life for twelve years, which his own ingrateful country had denied him.

"79. The next day after the deposition of the body in the aforesaid church, a vast concourse of people flocked thither, as they did for many dayes ensuing, for to pray for that faithful soul departed. Some of the good Christians being infirm offered their oraisons to God, that his Divine Majesty might be pleased to grant them health for the sake of his holy servant, James, King of England, which they obtained, as I am assured by credible witnesses. The relation of which in particular I p. 976. shall leave to the care of his friends at Paris and at St. Germain.

"80. In the interim the account of the King's death being sent to Rome by the Nuncio of France, the Pope, Clement the Eleventh, haveing called a Consistory, acquainted the Cardinals therewith: before whom he made a handsome speech, expressing his great and fatherly grief for the loss of a royal son, who had proved so zealous in his religion, that to it he postponed his crown and all he had in the world. He extolled his admirable patience in the villanous dethronement of him made by his subjects. He enjoyned the Sacred Colledge to tender their prayers for the repose of his soul untill he can have his funeral obsequyes performed solemnly in the Pontifical Chappel, which was don a few months after, and the funeral oration was pronounced by Signior Albani, the Pope's nephew. The royal obsequyes were also celebrated in the colledges and convents abroad of the English, Irish, and Scotts, his Majesty's subjects, so they were by some communityes of France. By these comportments of Princes and people, we find that the King of p. 977. England dyed with more honour in exile than he would in his own country, had he not been banished. Such compassion draws the affliction of a good man from the good, and such respect the oppression of a mighty and innocent King. France, noe doubt, deemed herself fortunat in his presence, and happy in haveing the remains of so saintly a Prince, while stupid England is not sensible of her own unhappyness. And here I putt a period to the life and death of this great monarch: 'hæc finis Priami fatorum,' whom the Heavens have, already, and the suffrages of nations, vindicated from calumny without my poor vindication. But in the event it proved such a calumny, as made our Prince more happy than if he had not been attacked therewith. For it was the occasion, as he himself confessed, of securing the end of his creation. Without which end, what is all the grandeur, all the glory, all the wealth, all the pleasure of the earth, since all have so short a duration? What does it avayl to gain the whole world, if you make shipwrack of p. 978. your soul? Happy then was the dethronement unto our great Sovereign. But this is language too hard for fools to understand, and so we leave

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them in the state of danger. There onely remains unto us to speake of the young King and successor, and of the warrs in brief, which the great Lewis undertakes to settle his grandson, the new monarch of Spain. on his throne, in order afterwards to restore James the Third of England unto his kingdom. And may God be propitious unto his enterprize.

# XV.

## "LIBER 3. C[HAPTER] 1."

p. 741.

"1. King James the Second of England left, at his death, issue a son<sup>1</sup> and a daughter<sup>2</sup> by Mary, Princess of Modena, his most excellent Queen. The son was then thirteen years and three months old. The daughter was of the age of nine years. Both are the children of mighty hopes. The Prince is exquisitely educated in vertue and learning, and promises a plentiful harvest of happiness to himself and to his subjects. In the next day after his royal father's departure unto a better world he was proclaym'd by a herauld-at-arms before the pallace gate of St. Germaines, King of England, Scotland and Ireland, by the name of James the Third. Within two dayes after, the King of France came to St. Germaines to pay a visitt to the young King, as King of Great Brittain, which visit the King of Great Brittain return'd the day followeing. The Pope also was resolv'd to augment the comforts of this young monarch. For he was pleas'd, like an affectionat father, to write a letter dated the 25 of October at Rome, being in the next month, unto his kingly son, which was full of consolation.

p. 742.

"2. But before this tyme, the account of James the Second decess<sup>3</sup> was brought to Loo in Holland, where the Prince of Orange, alias King William, then was. This made him retire a while from company. In a few dayes after, he parted thence for the Hague where he had consultations with the States about the affayrs of the present conjuncture. It was here and now (and not before, since the peace of Reswick, or since the new warr between the Emperor and the Most Christian King and the Catholick Monarch) he concluded a league defensive and offensive with the Emperor and the United Netherlands against France and Spain. By which we understand that the engagement the Prince of Orange gave to Lewis the Great by the Peace of Hall<sup>3</sup> of makeinge noe resistance to the restoration of the late James the Second, did not bind him to give noe opposition to the enthronment of the Prince of Walles, or now James the Third, if the King his father shou'd dye in banishment; which case, I believe, was not thought of at that treaty. 'Tis therefore King William appears at this juncture more eagre to stand for his regal concerns against the monarch of France, than in the life-tyme of King James the Second since the aforesaid peace of Hall. In order then to the better management of his affayres, he returnes into England in the month of October, and immediately dissolves the ould Parliament. He called a new one for to sitt on the 30th day of December followeing.

p. 743.

"3. In the interim the newes of the King's death being spread thro'out the Brittish empyre caused an universal sorrow amongst the Catholicks

<sup>1</sup> James Edward Francis Stuart.

<sup>2</sup> Marie Louise Stuart, born at St. Germaines in 1692. Her death there in 1713 is recorded at page 1499 of the MS. under notice.

<sup>3</sup> Or Ryswick, concluded 20 September, 1697.

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and loyal Protestants, but especially amongst the Catholicks of Ireland, who suffered most for him, and were dayly expecting a release from their thralldom by his restoration. A great part of the Irish nobility, who had the honour to serve his Majesty in the State and warr at his being in that kingdom, were stabbed to the heart at the dismal intelligence, because they were now depriv'd of their extraordinary comforts, which they had propos'd unto themselves, by seeing again their old acquaintance; who could call each of them by his name; who could call them fellow-sufferers; who could remember their meritts; and who therefore would the sooner grant unto them their particular requests, and sooner restore a general happiness to their country. But the case will be somewhat altered in the enthronement of James the Third. For unto him they are strangers: their peculiar services don to his regal father of blessed memory are unknown. This young King may be byassed by the ill-wishers of Ireland; at least it will not be so easy (by reason of his tender youth) to make him sensible of what his Majesty owes to the nation. However, the Catholicks of Ireland, and of the other two kingdoms were rayesd much from the depth of grief, when they heard that the Most Christian King had the generosity and courage (it was a thing suitable to his greatness) to do justice to the Prince of Wales in acknowledging him the lawfull King of England, Scotland, and Ireland, before the face of King William, which certainly he would not do (during King William's life) if his Most Christian Majesty had absolutely, without any condition, owned the said William King of England by the Peace of Hall or Reswick. For he could not in reason, and by equity of publick faith given at Hall or at Reswick, acknowledge two Kings of Great Brittain at the same tyme, each of whom challenges the crown by a different title. That of his calleing James the Second King of England at the same tyme he owned King William makes not against this argument, because James the Second haveing been once the lawfull King of England, and banished by his subjects, and noe obligation being imposed on the King of France by the Peace of Reswick to refuse that appellation to James the Second, the Most Christian King could call him King of England or Great Brittain at the same tyme he owned King William, without any breach of publick faith, or without any prejudice to William's right. 'But tis not the same case in James the Third; because he had not been King any way before the acknowledgement made of William: and therefore William being owned King of England in a solemn treaty of peace by the Monarch of France, does exclude the owneing of another person King of England (who had not been such before that tyme) dureing the life of the said William, according to the nature of publick treatyes of peace. Yett I must confess that some there are who oppose this reasoning, and say, that a Prince compell'd upon some consideration or other to acknowledge an usurper King of the country, is not oblig'd to continue his acknowledgement longer than he pleases, especially if his disowning be for the asserting of the right of the true heyr to the kingdom: and the reason is, because the usurper had noe title to the crown, when the aforesaid Prince was forc'd to owne him King. As it was in the case of the usurper Cromwell, whom several crown'd heads owned by their ambassadors to be the sovereign ruler of England: yett they were not bound to do him that honour farther than they should think it fitt. The general reason is, because constraint is not obligatory. And on the other side, tho' a Prince should owne an usurper King of the land, of his own accord, for some reward; yett he is not tyed to continue it, because he had engag'd in an unlawfull cause. But to enlarge

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no further upon this matter, pro and con (haveing said enough of it in the peace of Hall) we come to the warr.

## XVI.

### [DEFENCE OF CREMONA, A.D. 1702.]

"4. We are now beginning this present year 1702. In the first month of which, and in the end of it, Prince Eugenius of Savoy, General of the Imperial army in Italy, haveing settled a deessigne of takeing the city of Cremona in the principality of Millan by stratagem, he sent in disguise between five and six hundred souldiers into the town, that they might open him the gates at the night appointed, which was the 31 of January. Eugenius accordingly came to the gates in the later end of the night, with three thousand chosen cuirassiers, three thousand grenadiers, and five hundred huzzars. The spyes within upon a signal open'd the gates, that is one gate, which had been abandoned, and another which was guarded but by a very few, who here were overpowered. Thro' these two gates, and thro' the gate of the aqueduct Eugenius enters the city with his troops. He took the Place of arms, the guards thereof, and the canon. He took two other marketts, and the principal streets of the town, so that he thought himself master of the place. By this tyme Mareshall Villroy, the General, heareing of some warlick noyse, rose and took horse accompanied onely by two or three, for to discern what was the meaneing of the said noyse, he was taken prisoner immediately. A little after the garrison was alarm'd, and up they gott and randevouzed. They were four thousand men in all of which there was two strong Irish regiments of foot, one belonging to Collonel Arthur Dillon, brother to the Viscount Costalo, the other to Colonel Walter Bourk. Count de Revell, Governor of Cremona, and the Marquis de Pralin sounded the garrison, what they would do in this case of the town being taken. They declar'd unanimously that they would all dye, or drive out the enemy. Upon which it was ordered, that the Irish shou'd fight the cuirassiers, and the French the grenadiers. The morning appeareing, the battle began. The Irish charg'd the cuirassiers with that violence that they broake them in a little while, and putt them to the rout, pursueing and killing till they came to the Place of arms of which they made themselves masters, and regain'd the canon. The like success the French had against the German foot. However, the battle continued with rage on both sides, untill it was night. At which tyme the Germans were forced out of the town after the loss of two thousand seav'n hundred men kill'd, and about three hundred wounded, who dyed on the rode, and several prisoners taken. The garrison had of theirs seav'n hundred killed, and five hundred wounded; and lost almost an equal number of prisoners, who were exchanged the next day. Thus with an unparrallell'd bravery in the fight of elev'n howers the garrison retook the town against double their forces. The next day Count de Revell employed Captain Daniel Mahoni, an Irishman, (because he had signalized himself in that action. and we may say so of the whole garrison) for to carry the account thereof to his Most Christian Majesty. The King having perus'd the packett, recompensed the bearer with the honour of a Collonell and Adjutant-General to the Duke of Vandome, as he afterwards rewarded all the garrison of Cremona. Collonell Mahoni went from Versaills to

p. 746.

p. 747.

p. 748.

St. Germain, for to pay his respects to his own King,<sup>1</sup> who knighted him for his late service, reputeing what was don to his great friend to be don to himself. And 'tis so in the event. For the greater progress is made by France and her allyes in the warr, the sooner will the restoration of James the Third be effected.

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"5. In the next month, being February, the Parliament of England apply'd themselves assiduously to the consideration of what wayes and means they shall take to rayse vast summs of money, for to enable King William to carry on a vigorous warr in conjunction with his Confederats against France and Spain, as an assistant to the Emperor, who claymes the Spanish monarchy, and as a principal against the Most Christian King, because he owned the Prince of Walles King of England, contrary to the settlement of the Crown which the Parliament had made in William and in other Protestant Princes of the blood. At this tyme King William lay'd before the said Parliament the league he had concluded with the Emperor and the States-General of the united Netherlands. By this league the three allyes have oblig'd themselves to dispossess the new King of Spain of all the Spanish dominions and deliver them to the Emperor, and to conquer the Spanish Flanders, and to make it a barriere between the French conquests and the territories of Holland. A man shou'd think, that this league is ridiculous as to the presumption of it. For, if you will rightly consider matters, there appeares noe probability that these Confederats with all others that they can gett in Europe, will be able to effect what they have undertaken.<sup>2</sup> p. 749.

## XVII.

### [DEATH OF WILLIAM III.]

"6. We are now come to see an end putt to that great example of vanity, folly, ambition and villany. It happened that King William went a-hunting one day about the middle of this same month of February [1701-2]. And while he was in pursuit of his game his horse stumbled, and the King thereby fell down, so as he broake his chollar bone. He was brought to his house of Kinsington, and there the bone was sett again. However it kept him in a weak condition for several days, till at last he fell into a fever. All excellent remedies were made use of but had not the desired effect. At which the King was tould that he was past recovery. What preparations of a good Christian he then made for death it is not known to the publick. Onely 'tis said that he was solicitous in his extremity about some acts of Parliament, which she would have perfected before he dyed. One was, as they say, the act of attainting the Prince of Walles of High Treason, for assuming the title of King of England. There was a privat account that he fell into a fitt of rageing a little before he dyed, and continued so to his last breath. What the cause of this fury was we cannot positively affirm. Some say, that, being tould he was not for this world, he ordered the Earl of Albemarl, a Dutchman and his confident, to goe to his closett and burn all the papers therein, or some certain papers. But Albemarl, being plunged in a sea of grief, did not mind executing those orders immediately. A little after, upon a p. 751.

<sup>1</sup> "James III."

<sup>2</sup> The remainder of section 5 on pages 749 and 750 is struck out in the MS.

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p. 752.

recollection, he went to open the closett door, in order to do as he had been commanded. But he found guards at the said door by command from the Princess Anne of Denmark, who wou'd not lett the Earl enter. Now, if this was tould to the King, it might have cast him into that rage, because there might have been papers there which he wou'd not have any person, at least of English blood, see for the world. Or if this was not the cause of that his madness, who knowes but it was the testimony of a bad conscience made bim so furibund? 'Tis certain some of the most inveterat and bouldest sinners have trembled at the approach of death: and the terrour of future judgement coming into their thoughts hath rayseed dismal tempests in their minds. Some have seen, before the breath went out of their bodies, the infernal executors of the Divine vengeance. But in this ambiguity of his manner of dying, we have so much most probable, that he shewed noe exemplary piety in his extremes. Nay, I am assur'd that the Protestant Archbishop of Canterbury proposed to give him the Sacrement of their church: that the King answer'd, 'What good will it do me?' and that immediately he turn'd away his face. If it had been otherwise, the standers-by, being Protestants, wou'd have recorded his final devotion. By this we observe the vast difference between King James the Second, a Catholick, and King William, a Protestant, in their dyeing. The death of the first is able to make a heretick admire the Catholick religion and embrace it. The death of the second is capeable to create an odium to Protestancy, and abandon it. The behaviour of James in going off the stage of mortality is a most powerfull perswasion to live vertuously. The deportment of William in leaveing the world gives rather a scandal in seeing a Prince, who professes Christianity, to be so indifferent for his doom at the tribunal of God, tho' he had lead a tolerable life in morality. 'Twas not so the good Christians of antiquity departed hence. They proposed unto themselves that sayeing of St. Paul in his Epistle to the Hebrews: 'It is a terrible thing to fall into the hands of the living God.' And thereupon their preparation for the last hower was very exact. With what profound humility did they demeane themselves? With what fear? With what fervour in prayer? With what sincerity of satisfyeing everybody they owed satisfaction unto? With what acts of repentance? With what profusion of legacies to those that were in want, if they were able to do it?

p. 753.

p. 754.

"7. But William could not be ignorant thro' the light of common reason that he injur'd King James the Second in the highest degree. For the said common reason tould him, that a hereditary crown is not in the gift of the people: and especially while the King is alive and in actual government. He knew most certainly that the said King James had committed noe such barbariety on the souls nor bodies of his subjects as to deserve a dethronement at the hands of his people. And therefore he must needs understand that he cou'd not lawfully take the gift, which was not the giver's. It was the very case of Oliver Cromwell and of the people of England in the reigns of Charles the First and Charles the Second. The people represented in Parliament took on them to have a power not only of disposing of the crown, but also of bringing the King to an account of his administration. And de facto they deprived Charles the First of his life, for bad Government, as they alleadged, and Charles the Second, of his scepter, and assum'd to themselves the sovereign regency. They conferr'd it afterwards on the abovesaid Cromwell. He enjoyed it for the rest of his dayes. Yett the world condemned Cromwell for a villain; and the people, for barbarous rebels. And King Charles the Second being afterwards restored,

brought som of the people to condign punishment, and pardoned the generality. And tho' Cromwell had been dead, yett justice was inflicted on his corpe.

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"8. The injustice of King William being thus made manifest, what satisfaction did he make on his death to King James the Second, or to his family, for the unparrallell'd wrongs he had don him and to a million of his loyal and innocent subjects thro'out his dominions, especially in Ireland, where many families are sending their cries up to Heaven against that usurper for their destruction caused by him? He should at least have owned his fault before the world and publicly crav'd mercy of God for the same, with a preparation in mind to give all the satisfaction that should lye in his power to the injur'd persons, if his life were protracted. p. 755.

"9. We'll leave this unhappy Prince to make his accounts with his great Lord the best he can, wishing from our souls that he may putt himself in a condition to do it well, before the breath departes from his body. In the meantyme, we say that his malady lingered unto Sunday the 8th of March, when in the morning he expired in the 50th year of his age and in the beginning of the 14th year of his usurpation. On the same day the Princess Anne of Denmark was alone (to the exclusion of her husband, Prince George) proclaymed Queen, Sovereign of England and the dominions belonging unto it; and on the 23rd of Aprill next she was crown'd with the usual ceremonies. Whether this Princess hath taken the crown (by way of preventing greater mischief) onely so long till the King of France can be at leisure from the warr abroad to enthrone her brother, James the Third or hath assum'd it absolutely to the debarring of the King, a few years will discover. The reason of our doubt herein is, because we have had an account that the said Princess repented her of her comportment towards her royal father, of blessed memory, about ten years agoe. And if her repentance was true, she will prove faithfull to justice in this present case. p. 756.

"10. Here behold a mighty monarch but yesterday, now a sad victim of death! Potentats are no more exempted from payeing this tribute to nature than the poorest vassall. O folly of great men, who putt such exorbitant value on your lives and on the grandeurs of the world! For is it not a trifle even the empyre of the globe, when you cannot enjoy it but for a few dayes? This makes me judge that the Prince of Orange made a foolish bargain. He liv'd in his own country like a King with the glory of honesty; which is a jewell above the greatest diadem. But not contented with this fine lott, he trampled all lawes under foot for sake of a title which was greater than what he had before. And, to preserve it, what seas of blood has he spill'd! What ruins has he brought on countryes! What calamities on people! What risks of his own life! What toyls of body! What troubles of mind hath he endur'd! And how long hath he possessed this title, for which he gave so much? He was in possession of it 13 years, not having a child to leave the same unto, nor having had from the beginning any hopes of issue. Now tell me, is the pleasure of 13 years worth those prodigious dammages don to innumerable people tho' noe eternity of torments shou'd ensue? But is it not less worth, those destructions, if 13 millions of yeares shall be spent in torturing the man for that pleasure? And also if his memory here on earth shall for ever be detested? Certainly if there were noe Heaven nor hell after this life; yett reason tells me that I am not worthy to breathe, if for to pleasure myself either by title or power, or wealth, or any other way, I destroy mankind in vast numbers. It is like the p. 757.

p. 758.

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tyger, or the wolf, that care not what destruction of man or beast they make, so they can please their hunger or their rage. Hence comes my admiration to heare the people of England and the people of Hoiland (who profess to be Christians) speake of the Prince of Orange now deceased, as if he had been a saint, sayeing, 'His late Majesty of glorious memory.' Out away with their atheism !

p. 759.

" 11. This death miserably contristated the whole Protestancy of the three nations, except a few loyalists. Scotland in a special manner grieved that she had lost her greatest benefactor, who had dared to make her wholly Presbyterian to the entire exclusion of episcopacy, which noe Protestant King before would do. The Presbyterians of England sighed, because they were deprived of that King, under whose connivance and inclination to the cause they had increased to greater numbers than eaver. The Protestants and Presbyterians in Ireland, especially those of Cromwell's breed, were deeply struck with sorrow, because their hero was gon, who had restor'd them to those estates of the Irish Catholicks which the usurper Cromwell had conferr'd on them, and the pretended Act of Settlement had confirm'd; but which the just Act of Repeal had depriv'd them of. The States-General of the United Netherlands had the greatest loss of all, because they are for ever deprived of the most potent family within their territoryes, and of the best friend, as being King of England, they had in the world. The Emperor and the other allyes have a great share in this loss because King William would not onely (as he did in the late warr) assist them with powerfull troops, but give them money besides to maintain their forces, and would be in person amongst their armyes, animating them with his presence, with his example, and with his rewards.

p. 760.

" 12. But if you will consult solid reason you shall find that England hath noe cause to lament his death. For what hath she gained by his life? Before she gave him the crown, there was nothing wanting to her temporal happiness, as I have shewed above, while she enjoyed<sup>1</sup> religion with all freedom. Since his coming to the crown, can she in verity say, that she has had a happy day? Immediately she was afflicted with a costly and destructive warr in Ireland for three years; in Scotland, for a little while; abroad, for several years. Which warr hath caused noe small depopulation in Ireland and England by the death of subjects; an extinction of divers gallant families; of all the best commanders; a loss in shipping of above five thousand merchant vessels, and above fifty men of warr, great and small; an impoverishment of many a thousand; a decay of trade (by which England is supported) not onely in the warr, but since the peace has been made. It hath produced to the people the greatest consumption in their treasure that ever England had felt in any hundred years since the creation, to the amazement of foreign nations when they heare that the subjects have pay'd to King William, durement the late warr, sixty millions of pounds sterling; that is, about seav'n hundred millions of livres. Yett since the peace of Reswick, now near five years, the people of England have payed every year extraordinary taxes, for to discharge the expences of the said warr, which the sixty millions were not able to do. And still for severall years more the people must be taxed in order to clear those . . .<sup>1</sup> [de]bts. To this damage in money you must adde more. For the sylver coyn of the kingdom was allmost all clypped abroad and

<sup>1</sup> MS. damaged.



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at home: some part by the moyety, and some by the third proportion. A greate quantity of the coyn, being carried abroad, did neaver return which bred a vast confusion over the land. To supply this defect, the government was forc'd to procure all the plate used in families thro' out the realm to be coyned. By which it became that the howses of England were the monuments of poverty. p. 761.

"13. As for religion: the Episcopall Protestants of England thought themselves undon, because King James made a Jesuit rector of one colledge at Oxford, and another of his Privy Council, as I mention'd before. But lett us see what advantage did they gain by King William. First: he was noe true episcopal man. For if he were, he wou'd not have positively contributed so much to establish Presbytery. This is confirm'd because he was born and bred in Calvinism, as his countrymen are. But, it seems, a King of any religion whatsoever is acceptable enough to the Protestants of England, provided onely he be not a Catholick. Secondly: King William took one kingdom of the three from the Church of England, viz., Scotland, which he made entirely Presbyterian even to the banishing of the Bishops, and depriveing them and the Episcopall ministers of their revenues and tyths, to the reducing of them to mendicancy and hard shifts of liveing. In England and Ireland Presbytery came to so great a height in William's reign, that the Protestants were very sensible of an approaching danger. All sects increased; and some new ones sprung up; namely that of Philadelphians, and a number of Atheists, particularly in England, who openly professed that there was noe Deity. Vice reigned so absolutely, that morality was scare to be found anywhere. p. 762.

"14. Now take notice of the nature of the episcopall men of England. They quarrelled so with King James, that they dethron'd him for his constituting, chiefly a Catholick Governor over one colledge in the kingdom, and for appointing another Catholick of the Council, as aforesaid, which are but a drop to the ocean. Yett King William did them all that mischief above-said and they did not once question him why he had don so? Out of this behaviour of theirs, may not a man rationally judge that they are infatuated? That is, they have lost their reason, not distinguishing good from evill. Yea, I will give it under my hand, that they have [been], and will continue, non compos mentis, till they return to the Catholick Church. Which, I pray God, may be soon, that we may see in our dayes the afflicted people of the British monarchy delivered from their long bondage. p. 763.

"15. When the newes of King William's death arrived at the Court of France, the Most Christian King did not think fitt to goe in mourning for him. Which evidently shewes he had never acknowledg'd in reality the Prince of Orange King of England. For, if he had, there was noe motive, either warr or privat animosity, could have hendered the monarch of France to pay that civility to the royal deceas'd: because it is an inviolable custom between Crown'd heads, that are neighbours, and who have a correspondence with one and other by embassyes, or by commerce, as we see it dayly in practise.

### XVIII.

[ACCESSION OF QUEEN ANNE.—DECLARATION OF WAR BY  
ENGLAND, 1702.]

"16. The Princess Anne, in a few weeks after being crown'd Queen of England, sett forth her declaration of warr against France and Spain.

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p. 764

In which there are some terms that import, that the Most Christian King hath usurped some part of the dominions of Spain. How calumnious the expression is, we leave it to the judgment of the world. For that Prince hath not an inch of land belonging to the Spanish monarchy in his possession, nor claymes to it. His grandson is in possession of all countryes appertaineing to that crown, and is an independent King. His grandfather is onely his ally and assistant in defending the possession against the Emperor and his Confederats, as nature obliges him to be.

p. 765.

"17. The States-General of the United Provinces about the same tyme issued their proclamation of warr against the crowns of France and Spain; because the Spanish Flanders was not delivered to their troops to be garrisoned, to the end that it might be a sconce<sup>1</sup> between them and France, that thereby they may sleep without apprehension of danger. I spoake above of this ridiculous pretence, to which place I refer you. The Emperor also, after being a twelvemonth in warr against Lewis the Fourteenth of France, and Philip the Fifth of Spain, declared warr against them with the usual formalities, in order to acquire with the sword what he has noe title to, untill the progeny of the late Lewis the Thirteenth be extinct.

"18. I am of opinion, that the Most Christian King deserves to be chastiz'd for his imprudence. For he was of that tender disposition, and so scrupulous in disturbing the Peace of Reswick, that he suffer'd his enemyes all the year past to gather all their strength before he would attack them, when he could crush the unprepared foes. Is it not warrant enough for me to begin and prevent mischief, when I see my enemy making ready to assault me, without my expecting, till he gives me the first blow? However, his Majesty hath at last, in point of honour, return'd a declaration of warr against the proclamations of the Emperor, England and Holland.

p. 766.

"19. And now that Mars is come into the field, with all his formalities usual in this case, lett us see what progress has he made. It is expected that the Emperor, the Queen of England, and the States-General will act offensively, will push on their desigine, and boldly attempt to enter into their enemyes country, as being the aggressors and challengers of great matters. It is enough for the Kings of France and Spain to stand on their defence, and keep possession of what they have, seeing they pretend to no more, and would not undertake warr till necessitated for self-preservation. The warr then is in Italy and managed by the Duke of Vandome for France and Spain; and by Prince Eugenius for the Emperor. It is on the Upper Rhine and ruled by Mareschal Cattinat<sup>2</sup> for the French, and by Prince Lewis of Baden for the Imperialists. It is on the Lower Rhine, and governed by Mareschal Boufflers for France and Spain, and by the Earl of Athlone<sup>3</sup> for the Confederats. It is on the lines of the Spanish Flanders, and guided by the Marquis of Bedmar for Spain and France, and by General Cohorn for the States of Holland.

"20. The Duke of Vandome in Italy enter'd upon action in May, and rayssed the long blockade of Mantua, after takeing the towns in the Mantuan, which Eugenius had possessed all the winter, and about a

<sup>1</sup> A name applied to forts for defending passes.

<sup>2</sup> Nicholas Catinat, Marshal of France.

<sup>3</sup> De Ginkel.

thousand prisoners of warr, and abundance of provisions and ammunition. Upon this success of Vandome, Eugenius entrench'd himself between Mantua and the Po, receaveing his provisions from the Modenese, and expecting sufficient reinforcements from the Emperor for to take the field. The Duke of Vandome, for to drive him out from thence, he has encamped near the enemy, and is upon an enterprize to cutt off the provisions of the Prince Eugenius that com from the Dukedom of Modena. The Catholick King, by directions of his grandfather, left Spain, arriv'd at Naples about the end of Aprill, in order to settle better his affayrs in Italy by his presence. He made a solemne entry into that citty by way of takeing possession of the kingdom. He there receaved Cardinal Barbarini, Legat a Latere, sent to him by his Holyness Clement the Eleventh. And haveing established matters at Naples, his Majesty came into Lumbardy, and enter'd the city of Millan on the 18th of June. From whence he is expected every day in Vandom's camp, for to command the army along with that General. p 767.

"21. In Germany, the Prince Nassaw-Sarbruck, General for the States of Holland, and their allyes, with an army of twenty thousand men, invested on the 19th Aprill the town of Kayserwaert on the Rhine belonging to the Elector of Cullogne, who is in the interest of France and Spain. In this town there was a French garrison commanded by the Marquis of Blainville. Sarbruck took the town upon conditions, on the 17th of June, with the loss of ten thousand men, after the place was reduc'd to a heape of ruins, and with an obligation of demolishing all the fortifications. The French lost about three thousand men in the defence. p. 768.

## XIX.

## [CONCLUSION OF BOOK 3.] "CHAPTER 12TH."

"1. The long expected yeare is come, 1713, which suffering nations have been wishing for. It is receav'd with all joy, because it brings the end of their wishes, a happy peace. Yett, at the same tyme, we we must tell you that 'tis not every nation, of those hitherto plung'd in warr, obtain'd this happiness at the same season. Which misfortune happened thro' the fault of their respective Princes, who were more carryed away with ambition and covetousness than other potentats, who embrac'd the happy opportunity for the sake of their languishing people. How this peace was made, and between whom, we are goeing to give you the narrative. p. 1531.

"We tould you the last year, that the Queen of England concluded a peace with France and Spain by agents, but left the publick signing thereof to her plenipotentiaries at Utrech. The plenipotentiaries in the mean tyme us'd arguments in their several conferences to perswade those of the other allyes to come into the said peace. The Confederat plenipotentiaries for the most part came at last to an acquiescence after consulting their principals, and receaveing from them their final powers and instructions. Wherefore, the High Commissioners on both sides proceeded to finish this great work in the month of April. So the French and English plenipotentiaries signed the peace on the 11th day of the said month, at three in the afternoon. Those of the Duke of Savoy in an hour after. Those of the King of Portugal and King of Prussia before midnight. And those of the States-General in an hower after midnight. The Emperor would not accept of this pacification, as not satisfyeing his demands. The Princes of the Empyre complied p. 1532.

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with their head, and therefore they prepar'd for a continuation of the warr against France. Yett the Emperor, before this month, found himself necessitated to lett fall the warr of Spain for these reasons. He understood that the Queen of England had made her peace, and withdrawn her troops out of Spain, and most of her warlick ships out of the Mediterranean. He knew that the States-General were ready to com to an agreement with France, as was the King of Portugal, and the Duke of Savoy: he receav'd an account that his General, Count Staremborg, in Catalonia had lay'd a blockade, in the beginning of December the last year, to Girona with 12,000 men; that the General made three attacks upon the outward forts, and was as often repuls'd, with the loss of 1,500 men in all; that the Duke of Berwick was marching from Languedock with 15,000 French troops to relieve Girona; that, at his approach in the beginning of January this present year, 1713, Count Staremborg in hast quitted the blockade, leaveing behind him four pieces of canon, several waggons, and a good quantity of meal and ammunition. In fine, that Prince Serclas Tilly was to joyn the Duke of Berwick with the Spanish army, and so with their united forces to putt a speedy end to the warr of Catalonia.

"Upon these considerations, the Emperor, by his plenipotentiaries at Utrecht, agreed, in the end of February, with the King of France acting for his grandson, the King of Spain, to give up Catalonia, and the Isles of Majorca and Ivica, and to maintain a newtrality in Italy and in the islands thereof. By virtue of this agreement, the Empress departed from Barcelona, on the 18th of March, aboard the English squadron under Sir John Jennings, Vice-Admiral. This Princess landed at Genoa on the 29th of the same month. From thence she went to Millan, where haveing remain'd for several dayes, she continued her journey to Germany thro' Tyrol, and in the end of June she arriv'd at Vienna.

#### MISCELLANEOUS MSS.

1. "The state of Ireland" [A.D. 1701].—22 pages.
2. "The case of the Roman Catholick Nation of Ireland." 1710. 8 pages.
3. "The case of the same, 1711.—8 pages.
4. "An elegy on the death of James the Second, King of England."—12 pages.

#### Extracts :

"String, muse, thy lyre with lumpish lead, to groane  
The death of him, that glory of the throne:  
The pride of humbleness, altho' as high  
On earth he shone, as Saturn in the skye:  
The grace of meekness: and a second Job:  
Such charms as might a tyger's heart derobe:  
The death of him, that gives new life to those,  
Who woorried him to death, to long repose:  
But gives a death to such, as gave their all,  
The Lord's annoynted for to reinstall;  
Call all the quire unto thy ayd; and kill  
At every note the most obdurat will.  
The task is easy for the theam is such  
As flints may weep; tho' rebels think it much.

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" —

"This Prince at first sure was by fates designed  
As an instruction to all human kind:  
That mortals must not here take up their rest,  
Tho' of an empyre legally possest.  
Creation was not made for fleeting joyes,  
And all beneath eternity are toys.  
The scepter lasts no longer than the spade:  
Nor art of ruleing, than the vulgar trade.  
As short as proves our race, yett who can say,  
The smiles of Fortune have so long a day?  
Tho' Kings appear above the clouds of woe:  
Th'allmighty thunder strikes them down below.  
'Tis not my province to recense each one  
Adversity had struck upon the throne.  
It will suffice to pass a word or two  
How close she did our royal saint pursue.

"His tender years were forced to view a sight.  
A bleeding father, not in noble fight,  
But by a lictor's hand, and by the strain  
Of cursed traitors of the deepest stain.  
'Twas such a stroake, noe crown had felt before:  
'Twill scarce find credit on the Scythian shore.  
This drove our eaglett to a forraign state  
To seek a life, or dye a hero's fate.  
When after his return, he had drawn near  
Unto that throne, which was to cost him dear:  
Oh! what intreagues of Hell to quash his right;  
And timely to putt out his mortal light!

"No sooner wore he his paternal crown;  
But two huge crosses almost weighed him down,  
Insulting Monmouth and the proud Argyle:  
He smote them both and rested for a while,  
Untill the mine was by all hands so layd,  
As blew him quite away, untill he dyed.  
Who can remember that sad fatal day,  
Wherein his crown at stake near Salisbury lay;  
When all his chiefs in favour and command,  
Him left forlorn, and joyned the adverse band?  
Which lost him England; and lost them their fame:  
He gained a patience-crown: They keep their shame.  
Who can remember that nere dyeing night  
When from his couch he saved himself by flight:  
But ta'en by skipper on the watry realm,  
Receaved affronts that Majesty o'erwhelm?  
A sincking state is forwarded by all,  
But by the brave, that dread noe frown nor fall.  
Who can remember that barbarian wound  
Which mallice gave him without any ground?  
'Twas in his honour, and that of the Queen;  
A lady owned the glory of the green;  
A vertue such, in which their betters know,  
There lyes no more of spot, than is in snow.  
Who can remember that unnaturall hand,  
His children lent to drive him from the land?

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And when 'twas don, their conscience found noe strife  
To take away his sustenance of life.  
Oh ! 'twas a wound that pierced him most of all :  
Lo, a religion, they reformed call !  
Who can remember any one of those,  
But must the fountains of his eyes disclose ;  
And stand astonished at this novel fate,  
That vassalls could so boon a Prince e're hate ?  
I erre : the fate's not new, a practise here,  
Charles and Charles made the case too cleer.  
It seems the English throne for some dark cause,  
( O who can search into those hidden lawes ? )  
Is fatal to those Kings of Alban race :  
Not one could please of whatsoever grace.  
Be meek, be just, be what you else can name,  
Protector, Roman ; allwayes 'tis the same.  
They with each Prince by some pretence begun :  
But James's ruin from religion sprung.  
A lingring martyr of a twelve years' space,  
He many found in Diocletian's place.

\* \* \* \* \*

" Our royal exul now consumed away  
By Fortune's wounds, drew near his parting day.  
And he went off with jubily of mind,  
'Cause that blind goddess to him proved unkind.  
For that unkindness sett him on to gain  
A nobler realm : where endless is his reign.  
He parted so, as he might bear along  
The very hearts of such as did him wrong.  
But on the good 'twas murder to descry  
An innocent beneath oppression dye.  
Curse on rebellion : curse on every sect,  
From first to last, that did the world infect.  
O Lord of mercy ! lett thy will be don :  
Tho' by this death we may be all undon.  
But James is not so ; tho' fools it say :  
They measure all by blessings of this day.  
God falsifyed the word by his own deed :  
And for a pattern, here he chose to bleed.

\* \* \* \* \*

" Oh ! we are weary with this mournfull song ;  
And done we have unto the hearer wrong.  
I cease, I cease ; I onely with this end :  
Tho' grief shall nere unto a period tend.  
Great James, you are gon ; and left us here  
A suffring people : where our foes appear  
To swallow all, that duty payed their King.  
And who is he, that can us comfort bring ?  
Then take our hearts ; and us your vertues leave,  
That to your patience, we may firmly cleave.  
Meanwhile that you're for brave exploits in rest,  
We'll grave a few on urna's of our brest.  
Here lyes the Prince, that dare to owne his God ;  
And for the same he felt a heavy rod.  
Here lyes the Prince, that justice dared to do ;  
For which there did the loss of crown ensue.

Here lyes the Prince, who after looseing all ;  
(O piety!) triumphed in his fall."

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5. "A Lamentation song for James the Second, King of England."—  
3 pages.

Extracts :

" Help my sorrow, weeping fountains,  
Senseless rocks and tow'ring mountains.  
Skyles will echo at my sighing ;  
Earth grow stupid at my dying.

\* \* \* \*

" Was it such a high transgression  
In the King to give concession,  
That old Peters<sup>1</sup> should advise him  
As for that we must dethrone him ?  
Or to constitute a rector,  
O'er a college,<sup>2</sup> what great matter ?

\* \* \*

" Now the point that we have gained,  
What advantage is obtained ?  
Are we richer, are we greater ?  
Or in vertue are we better ?  
Are our temples more frequented ?  
Are our follyes more repented ?  
Are episcopals not loosers,  
Since the Albans are Recusers ?  
Then our whims were sole occasions  
Jemmy drove to forraign nations.  
Where we kept him till consumed :  
All admired, what we presumed.  
We may judge now by this story,  
Fates prepared a lasting glory,  
For an innocence oppressed :  
So do fare the good distressed.  
David thus was long refined,  
Ere to him were starrs assigned.  
Job was much in tribulation,  
'Ere he gained his compensation.  
We have stuck too long in dolours ;  
Tho' the subject claymed our labours.  
We will end in stroweing wishes  
On his urn with cypress-bushes.  
Be as great his exaltation,  
As was his humiliation.  
May the next in power be greater :  
Altho' seldom comes a better."

6. "To His Most Christian Majesty the Most Humble Petition of  
the Irish abroade in behalf of themselves and of their compatriots at  
home."—2 pages.

7. "The King of France shou'd make himself master of the sea."—  
9 pages.

<sup>1</sup> Father Petre.

<sup>2</sup> Magdalen College, Oxford.

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THE EARL OF  
FINGALL.

8. "To the Catholicks of Ireland: A Memorial for the defence of their country. Anno 1703."—116 pages.
9. "An Exhortation to stand for their country."—8 pages.
10. "Deserters of their country the cause of its ruin."—11 pages.
11. Address from "N.N.," to the "Lords and gentlemen of Ireland;" "the King's happy restoration to his throne being near at hand."—3 pages.
12. "For the re-inthroned King a method of governing England, Ireland, and Scotland."—4 pages.
13. "To the Irish Nobility at St. G[ermain]. A Memorandum."—6 pages.
14. "Quære, whether the Irish Catholicks are to be pittied in their present suffering."—13 pages.
15. "The Calamity of the tymes."—31 pages.
16. "The Treaty of Lymerick is inviolable."—8 pages.
17. "To the Right Honorable the Earl of Fingall, the Earl of Lymerick, and the Lord Power, Agents-General of the Nation."—9 pages.
18. "We are all in the wrong: Repentance and Peace: in a Letter to a friend."—31 pages.
19. "The deplorable condition of England: a letter anno 1696."—40 pages.
20. Treatise on the Gunpowder Plot and on unfounded charges against Roman Catholics of England and Ireland.—8 pages.
21. "The unlawfulness of the oath of abjuration."—8 pages.—Incomplete.

## ARCHIVES OF THE SEE OF DUBLIN.

By JOHN T. GILBERT.

ARCHIVES OF  
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The oldest of these records is that designated "Crede Mihi."<sup>1</sup> It is the surviving portion of a register book of documents connected with the See of Dublin, and all the contents are in Latin. The present initial page is marked 80 in Arabic numerals, On the inside of the parchment wrapper is a memorandum by James Ussher, Primate of Ireland, A.D. 1624–56, in which he, as follows, assigns the transcription of the manuscript to about A.D. 1275, and mentions the absence of the portion of it which he assumed to have originally preceded page 80:—

"Pars hæc est antiqui registri Archiepisc[opor]um Dublin, circa annum 1275 conscripti, quod appellatur 'Crede Mihi' ut constat ex

<sup>1</sup> Taken from Chapter IV., 21, of the Vulgate version of the Gospel according to St John. The designation was, it would appear, applied to a treatise appended to copies of the Sarum Ordinal. In the Rule of St. Benedict—"Regula B. Benedicti"—the following injunction to the brethren was included under the head of "Ordo qualiter Fratribus in monasterio religiose ac studiose se conversari ac Domino militare oportet."—"Juramentum aliud nemo proferat, nisi 'Crede mihi,' sicut in Evangeliiis legitimus Dominum Samaritanos affirmasse, aut 'Certè,' aut 'Sanè.'"—"Regula. constitutiones et privilegia Ordinis Cisterciensis." Antwerp, 1630, p. 32.



novo registro Johannis Alani, Archiepiscopi, fol. 64b. Antiqui vero hujus pars tantum posterior extat, viz., a fol. 80 ad 105 et finem."

The manuscript is mainly in single column, without ornamentation, and, for the most part, in a close, regular, and much contracted style. Towards its end some entries which are in irregular hands have become faded and partly illegible. The documents—with one exception<sup>1</sup>—bear neither headings nor titles, but they have been marked throughout in Arabic numerals. In these, by an apparent oversight, an error of nine occurs at article 141, which is set down as 150. Three pages, near the close, are occupied with a religious treatise, in double columns, and in a style of writing different from that of the other parts. The last page of the manuscript is 116b, a portion of which is blank.

"Crede Mihi" was for a time in the custody of John Alan, referred to in Ussher's memorandum above quoted. Alan was appointed Archbishop of Dublin in 1528, and was killed near that city in 1534, at the commencement of the revolt of Lord Thomas Fitz-Gerald, son of the Earl of Kildare, against Henry VIII. Nearly all the entries in "Crede Mihi" bear in the margins the monogram of Archbishop Alan, who likewise made brief entries on some of its pages and used it in his compilations relative to the diocese of Dublin.

Sir James Ware, in his treatise on the Prelates of Leinster, first printed in 1628, referred to "Crede Mihi" as "registrum antiquissimum." Ussher, in his "Sylloge Epistolarum veterum Hibernicarum," published from it, in 1632, the letter of Pope Alexander III. to Laurence, Archbishop of Dublin, A.D. 1179.

Seven of the articles in "Crede Mihi," as hereafter indicated, were included among "Historical and Municipal Documents of Ireland, 1172-1320," printed in the Rolls series in 1870. A reproduction of fol. 109b, exhibiting the style of writing in "Crede Mihi," and Alan's annotations on it, appears on plate lxxxiv. of the second part of "Facsimiles of National Manuscripts of Ireland," published in 1879.

"Crede Mihi," as now extant, commences with letters in relation to the diocese of Dublin, issued between 1179 and 1264, by Popes Alexander III., Lucius III., Innocent III., Honorius III., Alexander IV., and Urban IV. The contents of "Crede Mihi" do not proceed in regular chronological sequence, but documents relating to the same subjects are occasionally placed together in it. The Archbishops of Dublin, instruments by or in connexion with whom appear here, are Laurence O'Toole, 1162-1181; John Comin, 1181-1212; Henri de Loundres, 1212-1228; Luke, 1228-1255; Fulco de Sandford, 1256-1271; Richard de Feringes, 1299-1306, and Alexander de Bicknor 1317-49.

Documents in relation to, or executed by, the following are amongst those also extant in this register:—

Henry II.; John, Earl of Moretain and King of England; Henry III.; Prince Edward, subsequently Edward I.; Richard Fitz-Gislebert or "Strongbow"; Eva, daughter of Dermot Mac Murragh, King of Leinster; Hugh de Lacy; William Fitz-Aldelm; Richard de Burgh; Hugh Tyrell; Maurice Fitz-Gerald; Hamon de Valognes; William Mareschal, Earl of Pembroke; Roisia Longespee; Reimund de Karreu; Cardinal Otho, Papal Legate; the Archbishop of Cashel; Bishops and Abbot of Glendaloch; the Bishop of Louth; the Abbot of Citeaux and Abbots of houses of that order in Ireland; the officials of the Dublin cathedrals; the Priors of the Augustinians, Dominicans, and

<sup>1</sup> Catalogue of churches, &c. See p. 218.

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Hospitallers in Ireland, and of Cartmel, Lanthony, and Tewkesbury; the Prioress of Grany, in Kildare; Florentine money-dealers; and citizens of Dublin and Limerick.

The longest documents in "Crede Mihi" are the regulations, circa A.D. 1217, for ecclesiastics of the diocese of Dublin, and a catalogue of its deaneries, churches, and chapels. To this catalogue some ancient annotations were added, and they were subsequently supplemented with memoranda by Archbishop Alan. All the documents in "Crede Mihi" are included in the following Calendar, which is the first hitherto published of them.<sup>1</sup> Of most of the documents no copies older than those in "Crede Mihi" are accessible, and the originals are not now known to be extant. The manuscript furnishes some of the earliest specimens of the transmutations of Irish local names by Italian and Anglo-Norman scribes.

Appended to "Crede Mihi," but in styles of penmanship entirely different from it, are transcripts of the Constitutions of Pope Clement V., with two epistles of Pope John XXII., followed by references to passages in Scripture, titles of Cardinals, and form of oath for Archbishops and Bishops.

At the time of the Disestablishment of the Protestant Church in Ireland, the "Crede Mihi" manuscript was in the custody of the late Right Rev. R. C. Trench, Archbishop of Dublin, and it is now in the possession of Lord Plunket, his successor in that see.

#### CALENDAR OF CONTENTS OF REGISTER STYLED "CREDE MIHI."

1.—"Alexander, Episcopus, Servus Servorum Dei. Venerabili Fratri Laurentio<sup>2</sup> Dublinensi Archiepiscopo, eiusque successoribus canonice sostituendis in perpetuum. Cum teneamur ex debito suscepti regiminis circa universum corpus ecclesie aciem nostre considerationis extendere," etc.—Letter of Pope Alexander III. to Laurence, Archbishop of Dublin, confirming to him and his successors all the possessions and rights of that See, with metropolitan jurisdiction over the dioceses of Glendaloch, Kildare, Ferns, Leighlin, and Ossory. Lateran, XII. Kal. Maii. Incarnationis Dominice Anno MCLXXVIII.—Fol. 80.

2.—"Lucius, Episcopus," etc. "Venerabili Fratri Johanni,<sup>3</sup> Dublinensi Archiepiscopo, eiusque successoribus canonice substitutis in perpetuum. In eminenti Apostolice Sedis specula disponente Domino constituti," etc.—Letter of Pope Lucius III. to John, Archbishop of Dublin, confirming to him and his successors the possessions, rights, and metropolitan jurisdiction of that See, together with the pallium, etc.—Velletri, Idus Aprilis. Anno MCLXXXII.—Fol. 80b.

3.—"Alexander, Episcopus," etc. "Venerabili Fratri, Malcho, Glennaladhanensi Episcopo, eiusque successoribus."—Letter of Pope Alexander III. to Malchus, Bishop of Glendaloch, admitting him and his successors to Papal protection and privileges.—Lateran, iii. Idus Maii, Anno MLXXVIII.—Fol. 81.

<sup>1</sup> For further observations in connexion with the manuscript, see Tenth Report of this Commission, 1885, page 43.

<sup>2</sup> Laurence O'Toole, Archbishop of Dublin A.D. 1162-1181.

<sup>3</sup> John Comin, Archbishop of Dublin, A.D. 1181-1212.

4.—“Innocentius, Episcopus,” etc. “Venerabili Fratri, Henrico,<sup>3</sup> Archiepiscopo Dublinensi, eiusque successoribus, etc.”—Letter of Pope Innocent III. to Henri, Archbishop of Dublin, confirming to that See all its existing grants and rights, together with the pallium and licence to have the cross borne before him throughout his diocese.—Perusii, XV. Kal. Junii, Anno MCCXVI.—Fol. 81b.

5.—“Honorius, Episcopus,” etc. “Venerabili Fratri, Henrico, Archiepiscopo et dilectis filiis Capitulo Dublinensi,” etc.—Letter of Pope Honorius III. to Henri, Archbishop of Dublin, and the Chapter, confirming acts of Cardinal Paparon, Apostolical Legate, in reference to the distribution of the pallium and the division of the See and diocese of Glendaloch, together with the grants to the latter, by Henry II. and John, Kings of England. Lateran, II. Non. Octobris. Pontificatus Anno Primo [A.D. 1216].—Fol. 82.

6.—Alexander IV. grants to the Archbishop of Dublin privileges which are to continue during two years. —Anagni, II. Non. Augusti Pontificatus Anno Secundo [A.D. 1256].—Fol. 82.

7.—Alexander IV. confirms the grant which had been made to [Henri] Archbishop of Dublin by John, King of England, in relation to the church of Pencris, and its appurtenances, in the diocese of Coventry and Lichfield. Viterbo, II. Idus Junii. Pontificatus Anno Tertio [A.D. 1257].—Fol. 82b.

8.—Alexander IV. confirms to the Archbishop of Dublin visitatorial and other archiepiscopal jurisdiction in connexion with the Cistercian Monastery, De Valle Salutis [Baltinglas], in the diocese of Leighlin. Anagni, XII. Kal. Maii. Pontificatus Anno Sexto [A.D. 1260].—Fol. 82b.

9.—Alexander IV. to Fulco,<sup>4</sup> Archbishop-Elect of Dublin. The Pope intimates that the election of Ralph, Canon of St. Patrick's, Dublin, to the See of Dublin, had been annulled by him. Archbishop Fulco is authorised to retain the treasurership of the church of London, together with all prebends and other benefices which he has hitherto held. Anagni, XIII. Kal. Augusti. Pontificatus Anno Secundo [A.D. 1256].—Fol. 82b.

10.—Alexander IV. authorises [Fulco,] Archbishop of Dublin, to choose a discreet confessor, with special powers in relation to excommunications, etc. Viterbo, V. Kal. Augusti. Pontificatus Anno Tertio [A.D. 1257].—Fol. 83.

11.—Alexander IV. to Archbishop of Dublin. The Pope confirms to the See of Dublin the Deanery of the church of St. Mary of Pencris, in the diocese of Coventry, with its appurtenances and rights. Anagni, II. Non. Novembris. Pontificatus Anno Quinto [A.D. 1259].—Fol. 83.

12.—Alexander IV. to the Abbot of Tintern,<sup>5</sup> the Prior of Atthissell,<sup>4</sup> and the Archdeacon of Ferns.<sup>5</sup> The Pope has learned from the

<sup>1</sup> Henri de Loundres, Archbishop of Dublin, A.D. 1212-1228.

<sup>2</sup> Fulco de Sandford, Archbishop of Dublin, A.D. 1256-1271.

<sup>3, 4</sup> In county of Wexford.

<sup>5</sup> In county of Tipperary.

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Archbishop of Dublin that the Justiciary of Ireland infringes on the liberties of the church; that matters affecting ecclesiastics are adjudicated in the secular courts at Dublin; and that the King's authority is used in opposition to that of the Archbishop. The Pope directs that the Justiciary and his counsellors shall be admonished to desist from these courses. Anagni, XV. Kal. Aprilis.<sup>1</sup> Pontificatus Anno Sexto [A.D. 1260].—Fol. 83.

13.—Alexander IV. to the Prior of Friars Preachers, the Dean and Archdeacon of Waterford. The Pope, on the representations of the Archbishop of Dublin, directs investigations and proceedings with a view to legal revocation of grants of houses, tithes, rents, lands, possessions, etc. which some of the Archbishop's predecessors had made to Cistercians, Templars, Hospitallers, and others. Viterbo, II. Kal. Junii. Pontificatus Anno Tertio [A.D. 1257].—Fol. 83b.

14.—Alexander IV. commands the Bishops of Lismore and Waterford to restrain attempts to prejudice the rights of the See of Dublin, while its Archbishop is engaged with the Pope in relation to its affairs. Anagni, V. Id. Marcii. Pontificatus Anno Sexto [A.D. 1260].—Fol. 83b.

15.—Alexander IV. enjoins the Abbot of St. Mary's, Dublin, of the Cistercian Order, to restrain those who attempt to injure the Archbishop of Dublin, in his person, goods, or church. Anagni, Id. April. Pontificatus Anno Sexto [A.D. 1260].—Fol. 84.

16.—Alexander IV. grants to the Archbishop of Dublin license to appoint four qualified ecclesiastics to benefices and canonries. Anagni, Id. April. Pontificatus Anno Sexto [A.D. 1260].—Fol. 84.

17.—Urban IV. requests Henry III., King of England, to check the encroachments which are being made on the rights of the Church by his officials in his territories in Ireland, and especially in the city, diocese, and province of Dublin. Viterbo, II. Id. Novembris. Pontificatus Anno Primo [A.D. 1261].—Fol. 84.

18.—Urban IV. to Prince Edward, Lord of Ireland, eldest son of Henry III., King of England, on preceding subject. Viterbo, II. Id. Novembris. Pontificatus Anno Primo [A.D. 1261].—Fol. 85.

19.—Urban IV. to Bishops of Lincoln and Worcester, on preceding subject. Viterbo, II. Id. Novembris. Pontificatus Anno Primo [A.D. 1261].—Fol. 85b.

20.—Urban IV. apprizes the Bishop of Dromore and the Prior of the Friars Preachers of Drogheda, of the matters mentioned in the preceding documents, and enjoins them to have recourse, if necessary, to excommunication and ecclesiastical censures against the officials of the King of England, should they continue their encroachments on the rights of the Church. Viterbo, II. Id. Nov. Pontificatus Anno Primo [A.D. 1264].—Fol. 86.

21. Urban IV. to the Priors of the Friars Preachers of Waterford, of St. John's, Kilkenny, and the Archdeacon of Waterford, in relation to

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<sup>1</sup> This letter, with those here numbered 18 and 20, will be found in "Historical and Municipal Documents of Ireland," 1870, pp. 170, 172, 175.

petition from William, official of the Archbishop of Dublin, concerning the Dean of Clonfert and adjudication by Bishop of Killala in case between the Archbishop of Cashel and the Bishop of Lismore. Viterbo, IV. Kal. Novembris. Pontificatus Anno Primo [A.D. 1264].—Fol. 86b.

22.—Alexander IV. to the Archbishop of Dublin, in reference to ecclesiastics holding benefices, in the city and diocese of Dublin, without apostolical dispensations. Lateran, IV. Non. Marcii. Pontificatus Anno Septimo [A.D. 1261].—Fol. 86b.

Charters and Grants, as follow, from John,<sup>1</sup> Earl of Moretain, Lord of Ireland :

23.—To the church of St. Patrick, in the suburb of Dublin : the church of Crumlin, to be constituted a prebend. Ware, 4 Ric. I. [1193]. In crastino Sancti Jacobi.—Fol. 87.

24.—To John [Comin], Archbishop of Dublin, and his successors : the Episcopate of Glendalach, with all its appurtenances.<sup>2</sup> Dublin.—Fol. 87.

25. To the same. A carucate of land which Richard del Tuit held, near the church of St. Kevin, outside the walls of Dublin, etc. Waterford.—Fol. 87.

26.—To the same. The half-cantred of land of the abbacy of Glendalach which is next to the castle of Balimore, etc. Tewkesbury.—Fol. 87.

27.—To the same. The land of Coillacht.—Fol. 87b.

28.—To the same. The right to hold an annual fair in the town of Swerdes [Swords], in the Archbishopric of Dublin. Apud War[h]am. In crastino Sancti Jacobi, Apostoli.—Fol. 87b.

29.—To the same. The right to hold markets on Saturdays at Balimore. Merleberge.—Fol. 87b. See No. 100.

30.—To the same. The right to hold a fair at Swords. Duplicate of No. 28.—Fol. 87b.

31.—To the same. Confirmation of all previous grants to the Archbishop of Dublin and his church, with authority to hold courts for administering justice to his men in town and country in Ireland.—Fol. 87b.

32.—To Thomas, the Abbot : the Abbacy of St. Peter of Glindalach, with its appurtenances. Merleberge. 3 Ric. I. [1192]. Monday before the Ascension.—Fol. 87b.

33.—To John [Comin], Archbishop of Dublin : all ecclesiastical and secular possessions granted to him, his predecessors, and successors.—Fol. 88.

34.—Henry II., King of England, grants to his cleric, Thomas, the Abbacy of Glendalach, with its appurtenances, possessions, etc. Gildeford.<sup>3</sup>—Fol. 88.

<sup>1</sup> These instruments were executed before A.D. 1199, in which year John became King of England. Where dates are not given, the documents are undated in the MS.

<sup>2</sup> This grant differs from that numbered 41, on the same subject.

<sup>3</sup> Guildford, Surrey, was visited by Henry II. in December, 1184, and in the same month in 1186.

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35.—John, King of England, and Lord of Ireland, confirms to the church of St. Patrick, in the suburb of Dublin, the grant which he had previously made to it of the church of "Crumelyn." Winchester, 26th June, 17 John [A.D. 1215].—Fol. 89b. See Nos. 23 and 143.

**Charters and Grants from Henry III.**

36.—To Luke,<sup>1</sup> Archbishop-Elect of Dublin, and his successors: grant for disforestation of Coillacht and other lands. Westrainster, 8th Nov. 14 Hen. III. [A.D. 1229].—Fol. 88b.

37.—To the same. Inspeximus and confirmation of grant<sup>2</sup> made by John, Earl of Moretain, the King's father to John [Comin] sometime Archbishop of Dublin. Reading, 13th April. 14 Hen. III. [A.D. 1229].—Fol. 88-89.

38.—To the same. The town of Stagunnynge, with its appurtenances. Merleberge, 26th Sept. 18 Hen. III. [A.D. 1234].—Fol. 89.

39.—To the same. Weekly market at the Archbishop's manor of Stachgunnild, and an annual fair at Balimore. Reading, 30th Sept. 18 Hen. III. [A.D. 1234].—Fol. 89.

40.—Confirmation, to the church of the Holy Trinity, Dublin, of exchange authorised by King John, in relation to the land and castle of Oconach. Woodstock, 4th Feb. 35 Hen. III. [A.D. 1250-51].—Fol. 89.

**Charters and grants from John, Earl of Moretain, Lord of Ireland :**

41.—To John [Comin], Archbishop of Dublin, and his successors : the bishopric of Glendalach. Nottingham, Feast of Nativity of St. John the Evangelist [24 June]. 4 Ric. I. [A.D. 1193].—Fol. 89b.

42.—To the same. The custody of all of Earl John's forest in Leinster, of which Richard Tyrel was keeper.—Fol. 89b.

43.—To the church of St. Patrick, in the suburb of Dublin : the church of Trum [Trim]. "Apud Warham, in crastino beati Jacobi, Apostoli," 4 Ric. I. [A.D. 1193].—Fol. 89b.

**Grants from Earl Richard Fitz-Gislebert,<sup>3</sup> Deputy in Ireland for Henry II. :**

44.—To his cleric, Thomas : the abbacy and "personatus" of Glindalach, with its appurtenances and lands.—Fol. 89b.

45.—To Aldred Gulafre. The carucate of land called Dochlon, with its appurtenances.—Fol. 90.

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46.—Richard del Peec grants to John [Comin], Archbishop of Dublin, five carucates of land in Odrone, near the Abbey of Belcunglas (Baltinglas).—Fol. 90.

47.—Hugo de Lacy<sup>4</sup> grants to the church of the Holy Trinity and John [Comin], Archbishop of Dublin, the town of Liskilly, with ten carucates of land.—Fol. 90.

<sup>1</sup> Archbishop of Dublin, A.D. 1228-1255.

<sup>2</sup> See No. 31, p. 309.

<sup>3</sup> These grants were made between A.D. 1172 and 1176. FitzGislebert died in the latter year.

<sup>4</sup> Hugh de Lacy was killed A.D. 1186.

48.—Walter de Sernesfeld grants tithes of his lands to the Church of the Holy Sepulchre, Dublin.—Fol. 90.

49.—William FitzAldelm,<sup>1</sup> "Dapifer" of the King of England, confirms to Aldred Gulafre the land called Daglun, which Earl Richard FitzGislebert had granted to him.—Fol. 90*b*.

50.—John de Clahella grants to the church of the Holy Trinity, and the Archbishop of Dublin, the lands of Thacnehy.—Fol. 90*b*.

51.—The Countess Eva, heiress of King Dermot,<sup>2</sup> ratifies to the church of Dublin, and its Archbishop, John [Comin], all the possessions and charitable donations, ecclesiastical and lay, which had been granted to them by John, Earl of Moretain, and "good men of Leinster."—Fol. 90*b*.

52.—Walter, son of Aldred Gulafre, grants to Henri, Archbishop of Dublin, all his rights and claims in the lands of Daclan, which had belonged to his father, Aldred.—Fol. 90*b*.

53.—Richard de Burgo grants to the church of Dublin and its Archbishop, Henri, the cantred of Menevy, in Connacht, at an annual rent of ten marks sterling.<sup>3</sup>—Fol. 90*b*.

54.—Philip, son of Rys, grants to Murkirtah Othothel the lands of Garfelon, Clondangen, etc.—Fol. 90*b*.

55.—John [Comin], Archbishop of Dublin, on the petition of John de Clahalla, installs Turstan de Hampton in churches in Leighlin, during the vacancy of that See.—Fol. 91.

Grants from William Mareschal, senior, Earl of Pembroke [A.D. 1189–1219]:

56.—To the church of the Holy Trinity, Dublin, and the Archbishop, Henri, five carucates of the land called Strabo, in Fothered.—Fol. 91.

57.—To the church of St. Kevin, Dublin, and M[alchus], Bishop of Glendalach, the lands of Clarthyaune, Bogeryn, and ten carucates in Wykingelow, with "nativi."—Fol. 91.

58.—Henri, Archbishop of Dublin, grants to Helyas de Coityf one carucate of land in Derroth and Scobach.—Fol. 91.

59.—The citizens of Limerick grant to the church of the Holy Trinity, Dublin, and Archbishop Henri, Legate of the Apostolic See, a carucate of land near Castell Blathach, being one of the forty carucates which John, sometime King of England, had given to them.—Fol. 91*b*.

60.—M[alchus], Bishop of Glendalach, grants to John [Comin], Archbishop of Dublin, Rathcriaig, Kellynee, and Kellepscoip Edain, with their appurtenances, in exchange for Kellmaccabirn and other lands.—Fol. 91*b*.

61.—Laurentius Utothail grants to the Convent "de deserto Sancti Cemgini," the lands called "Tir meicc i, etc."—Fol. 91*b*.

<sup>1</sup> Governor in Ireland for Henry II., A.D. 1177.

<sup>2</sup> Mac Murchad or Mac Murragh.

<sup>3</sup> This copy does not contain the names of the attesting witnesses, which are appended to another transcript of the same document numbered 135, at fol. 104 of the MS.

62.—Prior Robert and the Convent of the Holy Trinity, Dublin, grant to Luke, Archbishop of Dublin, the sum of two marks annually, from the lands of Stagcloch and Coillach, in compensation for a similar amount which the Archbishop and his predecessors used to receive from the Prior and brethren of Kilmaynan for land in the tenement of Coillach. All Saints Day, A.D. 1248.—Fol. 91b.

63.—R[obert], Abbot and Convent of St. Mary, near Dublin, grant to Henri, Archbishop of Dublin, annual rents in that city, in exchange for land of Rathukenan.<sup>1</sup>—Fol. 92.

64.—Agreement between the Prior and Convent of Lanthony, Gloucestershire, and John [Comin], Archbishop of Dublin, in relation to churches, chapels, and tithes of the lands of Ockadesi, in diocese of Dublin.—Fol. 92.

65.—Statement by Abbot Gaugerius and Convent of Citeaux, in relation to arrangements between their house and Henri, Archbishop of Dublin, and his successors. A.D. 1223.—Fol. 92.

66.—Abbot Peter and Convent of Tewkesbury grant to Henri, Archbishop of Dublin, the land of Othach, in the port of Lissemer, which had been bestowed upon them by John, Earl of Moretain.—Fol. 92b.

67.—Compact between the Archbishops of Dublin and Cashel, and their suffragans, to maintain the liberties and possessions of their Sees against the Archbishops of Armagh, especially in relation to the Primacy.—Fol. 92b.

68.—Luke, Archbishop of Dublin, and the Chapters of the Holy Trinity and of St. Patrick's grant to Maurice FitzGerald, Justiciary of Ireland, their manor of Oconach, in Munster. V. Kal. Februarii, A.D. 1242. Fineglas.—Fol. 93. See No. 78.

69.—Reimund de Karreu, junior, sets to Archbishop Luke, for twenty-four years, from Michaelmas in the twenty-seventh year of Henry III. [A.D. 1243], a carucate of land in his tenement of Stachlorgan, near Dundrum, Dublin, at an annual rent of twenty shillings.—Fol. 93.

70.—Final agreement between Archbishop Henri, and the citizens of Dublin, in relation to a common pasturage. 7 Hen. III. [A.D. 1222–3.]—Fol. 93.

71.—Agreement between Archbishop Henri and the citizens of Dublin, for the settlement of hitherto existing disputes.<sup>2</sup> 9 Hen. III. [A.D. 1224–5.]—Fol. 93b.

72.—Grant of twenty carucates of the land of Ucunil to John [Comin], Archbishop of Dublin, from Hamo de Valognes, in consideration of injuries inflicted on the church of Dublin by him and his men, while he was Justiciary of Ireland.—Fol. 94.

73.—Robert de Liuet grants the Church of St. Nicholas, near Barewe,<sup>3</sup> to W[illiam],<sup>4</sup> Bishop of Glendalach, and the Abbot of St. Thomas, Dublin.—Fol. 94.

74.—D[onal] Macgilleholmoc and his wife, Dereuorguil, grant to the Church of St. Machotus, of Clond[olcan], land near Macdelewein, which their ancestors held—"ante conquisitionem Hibernie ab Anglicis."—Fol. 94.

<sup>1</sup> See Chartularies of St. Mary's Abbey, Dublin, vol. i., p. 181. Rolls series, 1884.

<sup>2</sup> See "Historical and Municipal Documents, Ireland," 1870, p. 80.

<sup>3</sup> River Barrow, Leinster.

<sup>4</sup> William Piro or Piran, Bishop of Glendaloch, circa A.D. 1192–1214.



75.—Henri, Archbishop of Dublin, grants to Slanus de Mohaud, sixty-seven acres in the manor of Taulach (Tallaght).—Fol. 94.

76.—Stephen de Hereford, and his wife, Matilda, renounce, in favour of Archbishop Henri, their claim to the land of Sleuardach,<sup>1</sup> which that Archbishop had given as a portion with his niece, the said Matilda.—Fol. 94.

77.—Agreement between John [Comin], Archbishop of Dublin, and William, Lord of Naas, in reference to boundaries at Rathmor and Balimor.—Fol. 94.

78.—Hugo Tyrel renounces his claim in the cantred of Okonauch, in favour of Luke, Archbishop of Dublin.—Fol. 94*b*. See No. 156.

79.—Patrick, Sub-Prior, and the Convent of the Holy Trinity, Dublin, grant their rights in Porrachelyn,<sup>2</sup> the island of Lambay, etc., to Archbishop John [Comin], in exchange for Tilach and other lands.—Fol. 94*b*.

80.—The Bishop of Louth renounces claim on church of All Saints, outside Dublin, in favour of John [Comin], Archbishop of that See.—Fol. 94*b*.

81.—Manasser Arsich grants to Henri, Archbishop of Dublin, five knights' fees in Slefardach.<sup>3</sup>—Fol. 94*b*.

82.—Agreement between William, Bishop of Glendalagh, and William Mareschal, Earl of Pembroke, in relation to lands in Tristil-dermod, etc.—Fol. 94*b*.

83.—Final agreement, made in the Court of Prince Edward at Dublin, by Fulco,<sup>4</sup> Archbishop of Dublin, with John le Clerc, Worgan le Juene, David le Norreis, William FitzSimon, and others, in reference to land in Glinmethan and Rathcul.<sup>5</sup> 46 Hen. III., A.D. 1262.—Fol. 95.

84.—Final agreement between Luke, Archbishop of Dublin, and Henry Prode, relative to a carucate of land in Dilgeny. 26 Hen. III., A.D. 1242.—Fol. 95.

85.—Final agreement between Archbishop Fulco, and Adam de Bedeford, on rents and lands in Typerkevin. 48 Henry III., A.D. 1264.—Fol. 95*b*.

86.—David de Saint Michel and his wife, Agatha, quit claim on their tenement in Typerkevin, in favour of Archbishop Fulco.—Fol. 95*b*.

87.—Final agreement between Robert Pynel and Archbishop Fulco, relative to a carucate of land in Balyhinan.—Fol. 95*b*.

88.—Final agreement of William de Waspayl and his wife, Emma, with Archbishop Fulco, on lands and rents in "villa Trussell." 48 Hen. III., A.D. 1264.—Fol. 95*b*. See Nos. 106 and 110.

89-90.—Final agreemeent between Archbishop Fulco, and John de Wycumbe, in relation to lands in Glinmethan. 48 Hen. III., A.D. 1259.—Ff. 95*b*-96.

91.—Final agreement between Archbishop Fulco, and Walter Dun, relative to land in Clonmethan. 46 Hen. III., A.D. 1262.—Fol. 96.

<sup>1</sup>, <sup>3</sup> Sliabh-ardacha, Slieveardagh, county of Tipperary.

<sup>2</sup> Portrane, county of Dublin.

<sup>4</sup> A.D. 1256-1271.

<sup>5</sup> Rathcoole, county of Dublin.

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92.—Statement by Roger, Prior of Ker[t]mel,<sup>1</sup> on possessions and rights in Kilros<sup>2</sup> appertaining to Archbishop Fulco. Kilros, St. Andrew's Day, A.D. 1264.—Fol. 96b.

93.—Nicholas Russell grants to Archbishop Fulco a burgage and lands in Swerds (Swords).—Fol. 96b.

94.—Jordan le Esuek grants his lands in the city of Dublin, and elsewhere in Ireland, to Fulco, Archbishop of Dublin, "Primate of all Ireland."—Fol. 96b.

95.—Agreement by Oliver le Gras to quit claim on land at Pencris, on receipt of one hundred marks, for which sum it was assigned to him as surety by Archbishop Fulco. Dowisky.<sup>3</sup> VI. Id. Marcii, Anno Gracie MCCLXVI.—Fol. 96b.

96.—Nicholas Russell quits claim on burgage and lands at Swerdes, in favour of Archbishop Fulco.—Fol. 96b.

97.—Michael Walensis, Treasurer of the church of St. Patrick, Dublin, quits claim on messuage in town of Balimor, held by him for life, under grant from Luke, Archbishop of Dublin.—Fol. 96b.

98.—Adam, son of Hugo, grants to Archbishop Fulco, thirty-five acres of land in Nova Villa.—Fol. 97. See No. 81.

99.—John, son of Alexander Arsick, grants to Archbishop Fulco, a tenement in Sleuardach.—Fol. 97.

100.—John, Lord of Ireland, Earl of Moretain, grants to the Archbishop of Dublin right to hold markets on Saturdays in his town of Balimor.<sup>4</sup> Portsmouth.—Fol. 97.

101.—Bond from Adam de Budeford for payment of twenty pounds annually to Archbishop Fulco, until the coming of age of Agatha, daughter and heiress of Meyler Othothil, in consideration of a grant of the wardship of her land and marriage. 14 February, eighth year of Archiepiscopate of Fulco. [A.D. 1264-5].—Fol. 97.

102.—Statement by Roger, Prior of Kertmel, relative to arrangements with Archbishop Fulco, in connection with manor and church of Kilros. Kilros, St. Andrew's Day, A.D. 1264.—Fol. 97. See No. 119.

103.—Agreement between Archbishop Fulco and the Canons of Disert Saint Kevin. X. Kal. Sept., A.D. 1263.—Fol. 97.

104.—Quit-claim from John Gerard, of Balidude, to Archbishop Fulco, on thirty acres of land in Taulacht (Tallaght).—Fol. 97b.

105.—Agreement between Archbishop Fulco and Bertram, son and heir of Robert de Nugent, relative to the manor of Mayn.—Fol. 97b.

106.—William Waspayl, knight, and his wife, Emma, quit claim on lands in "villa Trussell," in favour of Archbishop Fulco.—Fol. 97b.

107.—Luke, Archbishop of Dublin, grants to Thomas de London, fifteen acres of land in Swerdes.—Fol. 98.

108.—John Tailleburgh, and his wife, Margaret, with others, quit claim to land in the town of Adkip, in favour of Archbishop Fulco.—44 Hen. III., A.D. 1259-60.—Fol. 98.

<sup>1</sup> Cartmel, Lancashire.

<sup>2</sup> Kilrush, in the county of Kildare.

<sup>3</sup> Duissk or Graigenemanagh, county of Kilkenny.

<sup>4</sup> This grant differs from that on the same subject under No. 29.

109.—Notification, by Archbishop Fulco, of appointment of Philip de Gerney to the vicarage of the church of Kilculyn, on presentation by Prior and Convent of Holy Trinity, Dublin. Feb. A.D. 1266.—Fol. 98.

110.—Engagement from William Waspeyl and his wife, Emma, to Archbishop Fulco, relative to land in "villa Trussell." 3 July, 48 Hen. III., A.D. 1264.—Fol. 98. See No. 88.

111.—Acknowledgment, by Roger Stocard, of debt of twenty-seven shillings of silver to Archbishop Fulco. Swerdes, A.D. 1260.—Fol. 98b.

112.—Hugo de Hylun grants to Archbishop Fulco an annual rent of fourteen shillings of silver out of the lands of Farkeel, in the tenement of Coillacht.—Fol. 98b.

113.—Acknowledgment, by the Prioress, Amicia, and the Convent of Grane,<sup>1</sup> of debt to Archbishop Fulco, in relation to suit connected with the church of Ballymacdon. A.D. 1260.—Fol. 98b.

114.—Muriarthauch Othothel grants to Archbishop Fulco the lands of Garfelon, Clondangen, etc. in exchange for others.—Fol. 99.

115.—Agreement between Archbishop Fulco and Henry de Gorham, concerning land of Bertram, son of Robert Nugent, of Mayn.—Fol. 99.

116.—Acknowledgment of debt of forty pounds sterling to Fulco, Archbishop of Dublin, by Roisia Longespee,<sup>2</sup> relict of Lord William de Dene,<sup>3</sup> sometime Justiciary of Ireland. IV. Kal. Augusti, 1262.—Fol. 99.

117-18.—M. de Ewyas, Prior of the Hospital of St. John of Jerusalem in Ireland, petitions Henri, Archbishop of Dublin, to sanction his presentation of Henry, cleric of the Earl of Pembroke, to the church of Stachfhythenan: Insuper by Fulco, Archbishop of Dublin, 3 Non. Februarii [A.D. 1259-60], third year of his Pontificate.—Fol. 99b.

119.—Agreement between Prior Roger, the Convent of Kertmel, and Archbishop Fulco, relative to the manor and church of Kilros. A.D. 1264.—Ff. 99b-100. See No. 102.

120.—Richard de St. Martin, Dean, and the Chapter of St. Patrick's, Dublin, ratify the arrangements in connexion with their lands and rights, as specified in the instrument, here recited, of Archbishop Fulco, dated V. Id. Januarii, in the eleventh year of his Pontificate [A.D. 1267-8].—Fol. 100b.

121.—Prior Roger and the Convent of Ker[t]mel release Archbishop Fulco from ten pounds of the annual amount due to them for the manor and church of Kilros. Ker[t]mel, A.D. 1266.—Fol. 101.

122.—Letter from Cardinal Otho, Legate of the Apostolic See, to the Bishops of Lismore and Waterford, on application from the Archbishop of Dublin, in reference to interference of the Mayor and citizens

<sup>1</sup> Grany, in county of Kildare.

<sup>2</sup> Etienne "de longe espée," Justiciary in Ireland, A.D. 1260-1261.

<sup>3</sup> His death occurred A.D. 1261.

<sup>4</sup> A line is drawn through this article in the MS.

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there with contributions for religious objects.<sup>1</sup> London, II. Kal. Marcii, in the third year of the Pontificate of Pope Clement IV. [A.D. 1268].—Fol. 101.

123.—Agreement between Archbishop Fulco and Joseph Fitz William, concerning land in tenement of Taulach. A.D. 1266.—Fol. 101b.

124.—Cyno, son of James de Sancino, citizen and merchant of Florence, of the Company of Riky, acknowledges to have received one hundred pounds of new sterlings from Fulco, Archbishop of Dublin, which the latter was bound to pay in the house of the Knights of the Temple, London.<sup>2</sup> Dublin, A.D. 1266.—Fol. 101b.

125.—Chino, son of James de Mancino, acknowledges to have received five hundred and fifty marks of new sterlings from Archbishop Fulco, due and payable in the house of the Knights of the Temple, London.<sup>3</sup> Dublin, A.D. 1266.—Fol. 101b.

126.—Letter from Synicius, Clerk of the Papal Chamber, to the collectors of the tenths in Ireland under authority of Henry III., King of England, in reference to the payment of seven thousand marks to the Pope. London, VII. Kal. Septembris, 1267.—Fol. 102.

127.—Letter from Clement IV. to Archbishops, Bishops, and others, to receive and aid the bearer, Leo de Buzan, the Pope's Cursor, who is employed on the affairs of the Roman Church. Viterbo. Non. Julii. Pontificatus anno secundo [A.D. 1267].—Fol. 102b.

128.—Settlement by Luke, Archbishop of Dublin, of controversy between William de Norfeld, Archdeacon of Dublin, and the Prior and Convent of the Holy Trinity there, relative to the church of Rathfarnham and the tithes of the tenement of Dunavet.—Fol. 102b.

129.—Agreement between the Prioress and Convent of Grane and Richard de St. Martin, relative to church of Turvie.—Fol. 103.

130.—Ordinance by Luke, Archbishop of Dublin, for augmentation of stipend to the Vicar of the church of Swerdes.—Fol. 103.

131. Acknowledgment by Eudo, Precentor, and the Chapter of St. Patrick's, Dublin, of obligation to pay forty shillings yearly to Roger Oweyn, of that city. Non. Octobris, A.D. 1275.—Fol. 103b.

132.—Ordinance by Luke, Archbishop of Dublin, requiring that Canons of St. Patrick's Cathedral shall, within a year after appointment, attend there in person and take the prescribed oaths.<sup>4</sup> Clondolcan, A.D. 1247.—Fol. 103b.

133. Instrument by Thomas,<sup>5</sup> Dean of St. Patrick's, Dublin, in reference to dispute between the Chapter of St. Patrick's and William de Ley, and others, concerning house in suburb of Dublin.—Fol. 103b.

134.—Grant, from Henry de London, of his messuage at Dublin to Archbishop Fulco.—Fol. 104.

<sup>1, 2, 3</sup> See "Historical and Municipal Documents of Ireland," 1870, pp. 166, 180.

<sup>4</sup> The entries from No. 132 to 139 are in a different hand from the preceding, and are much faded.

<sup>5</sup> Thomas de Chaddesworth, Dean, A.D. 1284-1311.

135.—Grant, from Richard de Bargo, of the cantred of Mouewy, in Connacht, to Henri, Archbishop of Dublin.—Fol. 104. See No. 58.

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136.—Inspezimus by John de Chamerham, Papal chaplain, of letter from Pope Alexander [IV.] to Bishop of Waterford, in relation to Prior and Convent of St. Mary's of Kenles, in the diocese of Ossory, of the Order of St. Augustine, dated at Viterbo, V. Kal. of Feb. [A.D. 1258-9] 4th year of Pontificate.—Fol. 104b.

137.—Recital, by John, Papal chaplain, of letter of Pope Alexander [IV.] to Bishop of Ferns, in reference to archiepiscopal visitations. Viterbo, V. Kal. Feb. [A.D. 1258-9] 4th year of Pontificate.—Fol. 104b.

138.—Statement by Robert de Schardelowe, of having exhibited to Archbishop Fulco a charter from Radulph Blund, of Clafford, relative to lands of Clynmethan, etc.—Fol. 105.

139.—Grant of land in Swerdes, etc. from Robert Fitz Roger, Canon of St. Patrick's, Dublin, to Archbishop Fulco.—Fol. 105.

140.—Regulations for ecclesiastics of diocese of Dublin, circa A.D. 1217, commencing as follows:—

“Rectores ecclesiarum et universi quibus incumbit regimen animarum plebes sibi commissas exemplo bono conversationis et verbo exhortationis in fide recta et bonis moribus diligenter instruant et informant. Ut autem liberius et efficacius officium impleant exhortantis, universi curam habentes animarum ecclesiasticis officiis et aliis studiis se exerceant et orationibus et lectionibus jugiter intendant. Sint pudici, virtutum operatione preclari, humilitate prediti, pacifici, annunciantes bona, dissensiones, rixas et scandala resecantes.

Ab illicitis spectaculis se absterneant et precipue torneamentis, luctis, et aliis ubi sanguinis effusio poterit formidari, tabernas et inhonesta convivia non frequentent. Extraneorum fugiant consortia feminarum et omnium ex quarum cohabitatione sinistra suspicio poterit exhaustiri. Si quis, autem, de incontinentie vicio graviter diffamatus, non poterit canonice se purgari habebitur pro convicto. Convictis vero vel in jure confessis, fructus beneficiorum seu stipendia subtrahantur, donec inde nostram gratiam consequantur.”—Fol. 106.

These regulations conclude as follows, at fol. 108:—

“Adjicimus etiam quod questuarii per civitatem vel diocesim Dublin nullo locorum admittantur quorumcunque questuarii existant, nisi litteris nostris patentibus muniantur. Quibusquidem questuariis officium predicandi penitus interdiximus. Expositione autem sui negotii tantum contenti permaneant.”

141.<sup>1</sup>—Letter from Henry III. to Richard de Burgo, Justiciary in Ireland: recital of King's charter to Juke, Archbishop-elect of Dublin, for disforestation of lands and exemption from forest exactions. Northampton, 4 December, 1[4]. Henry III. [A.D. 1229].—Fol. 108. See No. 86.

142.—Confirmation, by Richard,<sup>2</sup> Archbishop of Dublin, of arrangement made by his predecessors in reference to the church of St. Patrick, Dublin. Swerdes, A.D. 1304.—Fol. 108b.

<sup>1</sup> Marked 150 in the MS. The error is corrected here and in connexion with the subsequent numerations.

<sup>2</sup> Richard de Feringes, Archbishop of Dublin, A.D. 1299-1306.

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143.—Charter from John, King of England, by which he confirms his former grant of the church of Crumlin to the church of St. Patrick, Dublin [A.D. 1215].—Fol. 108b. See No. 35.

144.—Letter from Cardinal Otho, Legate of the Apostolic See, to Archbishops, Bishops, Abbots, Priors, Deans, Archdeacons, Prelates, and other ecclesiastics in Ireland. The Legate summons the Prelates and others to come to him in person at the ensuing feast of St. Michael, London, Non. Julii. Third year of the Pontificate of Clement IV. [A.D. 1268].—Fol. 109.

145.—Letter from Cardinal Otho to the Archbishop of Dublin and the Bishop of Ferns, requiring them, with others, to attend on him within the octave of the ensuing Easter. Winchester, Kal. Januarii. Third year of Pontificate of Clement IV. [A.D. 1268].—Fol. 109.

146.—Names of the churches and chapels in the following deaneries of the diocese of Dublin: City of Dublin<sup>1</sup>; Tachnehy [Taney]; Swerdis [Swords]; Balimor; Bre [Bray]; Wykinlo [Wicklow]; Arclo [Arklow]; Tristildermot [Castledermot]; Adthy [Athy]; and De Saltu Salmonis [Salmon Leap].—Ff. 109–13.

147.—Brief memoranda relating to the Kings of England, from William the Conqueror to Henry III.—Fol. 113b.

148.—Agreement between John, Archbishop of Dublin, and William, Lord of Naas, in relation to boundaries at Rathmore.—Fol. 113a. [*Oblit.*]

149.—Grant of land in Clonmackargill from Richard Tyrell to John de Kylpech.—Fol. 113b. [*Oblit.*]

150. Transcript of part of Scriptural treatise.—Ff. 114–15.

151. Walter de Bodehame, with the assent of Thecla, his wife, grants land at Lusk to Fulco, Archbishop of Dublin.<sup>2</sup>—Fol. 115b.

152. Alexander,<sup>3</sup> Archbishop of Dublin, grants to Thomas Ocele a messuage and land in Portrathryn (Portrane). Swerd, 15th April, 1347.—Fol. 115b.

153.—Robert de Lyuet grants to William, Bishop of Glendalagh, and the Abbot of the house of St. Thomas, Dublin, the church of St. Nicholas in his land near Barowc.—Fol. 115b. See No. 73.

154.—William Mareschal, Earl of Pembroke, confirms to Henri, Archbishop of Dublin, five carucates of land near Lechlyn, which had been previously granted to the church of Dublin by Richard del Pek.<sup>4</sup>—Fol. 115b.

155.—Notification, by Prior and Canons of the church of Glendalagh of grants made to them by Fulco, Archbishop of Dublin.—Fol. 116.

156.—Statement addressed by Hugo Tyrell to Maurice FitzGerald, Justiciary of Ireland, and the King's Justices itinerant there, reciting grant to Luke, Archbishop of Dublin, of claims in the cantred of Okconnauth.—Fol. 116. See No. 78.

157.—Alanus de Batoniis grants his possessions at Villa Walensis, Corbaly, etc. to Archbishop Fulco.—Fol. 116.

<sup>1</sup> In this section are included the religious establishments at or near Dublin.

<sup>2</sup> The writing on 115b, 116 and 116b is irregular and much faded.

<sup>3</sup> Alexander de Bicknor, Archbishop of Dublin, A.D. 1317–1349.

<sup>4</sup> See No. 46.

158.—John de la gren, of Fynglas, grants half an acre of land to Archbishop Fulco.—Fol. 116. [*Oblit.*]

159.—Surrender, by William Fitz Albyn, of seventy acres of land in Balislaicthyr and Clonard.—Fol. 116.

160. Nicholas Ruffus grants his land of Balyrochgane to Archbishop Fulco.—Fol. 116*b*. [*Oblit.*]

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## PART II.

i. — Constitutions of Clement V., promulgated by John XXII., commencing as follows:—

“Johannes, Episcopus, Servus Servorum Dei, dilectis filiis doctoribus et scholaribus universis ubique commorantibus salutem et Apostolicam benedictionem: Quum nulla juris sanctio quantumcunque perpense digesta consilio ad humane nature varietatem et machinationes ejus inopinabiles sufficit, nec ad decisionem lucidam sue nodose ambiguitatis attingit, eo presertim quod vix aliquid adeo certum clarumque statuitur quin ex causis emergentibus,” etc. Avignon, Kal. Nov. second year of Pontificate [A.D. 1318].—Ff. 117–35.

ii.—iii.—Letters from Pope John XXII. in reference to plurality of benefices, etc. Avignon, VIII. Kal. Nov. and XIII. Kal. Dec., second year of Pontificate, and Kal. Dec., seventh year of Pontificate. [A.D. 1318–1323].—Ff. 135*b*, 136.

iv.—Scriptural references.—Fol. 137*b*.

v.—Titles of Cardinals. Undated.—*Ib*.

vi.—Form of oath for Archbishops and Bishops.—*Ib*.

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ARCHIVES OF THE SEE OF OSSORY.—RIGHT REV. W. PAKENHAM WALSH, D.D., BISHOP OF OSSORY, FERNS, AND LEIGHLIN.—By JOHN T. GILBERT.

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The chief of these manuscripts is entitled “Liber Ruber diocesis Ossoriensis,” the “Red Book of the diocese of Ossory.” The primary parts of this volume appear to have been written in the fourteenth century, when Richard de Ledrede or Lederede was Bishop of Ossory, an extensive district, of which Kilkenny is the principal town. Lederede, an English member of the Order of St. Francis, was consecrated Bishop of Ossory, in 1316, according to a memorandum in the “Red Book.” Some authorities, however, assign his appointment to 1318. Soon after his installation he presided over a synod of the diocese of Ossory, the acts of which are registered in the “Red Book.” By command of Edward II. he caused a “taxation” or valuation of the diocese to be made, which is copied in this manuscript, and may be

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assigned to 1319 or 1320. In 1324 Bishop Lederede prosecuted for heresy and sorcery Dame Alice Kiteley<sup>1</sup> of Kilkenny and her associates, one of whom was condemned and burned. Circumstances connected with this prosecution and other transactions involved Lederede in contentions with administrators of the English Government in Ireland. Among these was Alexander de Bicknor, Archbishop of Dublin, who publicly excommunicated him, and exacted heavy contributions<sup>2</sup> from the clergy of Ossory, over whom he asserted metropolitan jurisdiction. Lederede brought many charges against De Bicknor, and having appealed to the Holy See, was by Pope Clement VI. in 1347 absolved from excommunication. After numerous difficulties and an absence of several years, Bishop Lederede returned to his diocese. He died in 1360, and was interred in the cathedral of St. Canice, Kilkenny, which he furnished with many decorations and a window of large dimensions, containing an elegantly executed series of representations of the life of our Saviour in stained and painted glass. The fragments of this window, which was demolished by Cromwellian soldiers, were found in 1846, during the progress of excavations at the cathedral.

The "Red Book of the diocese of Ossory" is composed of stout vellum, and contains eighty leaves and portions of two leaves. It is of small folio size,<sup>3</sup> bound in oaken boards covered with leather, now partly decayed. In addition to transcripts of instruments connected with the diocese of Ossory, the volume contains copies of documents relative to the government of Ireland and miscellaneous writings, inserted at various periods terminating in the reign of Queen Elizabeth. It is styled the most ancient book of the church of Ossory in a Latin entry on its first page, signed by Richard Connell, Notary Public and Principal Registrar of that diocese, A.D. 1679. The manuscript has neither ornamentation nor colouring; some of its pages have suffered from chemical applications, and portions of others are obliterated and nearly illegible. The leaves are marked throughout in Arabic numerals. An error in the numeration occurs after the seventeenth leaf, the one following which is also numbered 17. After the fifty-third leaf there is a chasm, the extent of which cannot be accurately defined. The deficiency is not indicated by any note in the manuscript, and the leaf following 53 is numbered 54, as if the matter were consecutive. This defect, hitherto overlooked, existed, no doubt, when the book was placed in its present binding, probably towards the close of the sixteenth century. After fol. 55 there is a small narrow remnant of the blank inner margin of an absent leaf, and, without any reference to this gap, the succeeding page is numbered 56. Of the sixty-eighth leaf a portion only remains. On the final leaf, which follows that numbered 78, appears an entry dated 14 July, 1577, in which William Gerrarde, Chancellor of Ireland, noted that there were "in this book seventy-six leaves and a half leaf." The latter probably referred to fol. 68, above mentioned, but how this computation of the total was made is not apparent. With the exception of a few articles in French, and the English and French lines hereafter noticed, the contents of the "Red Book" are in Latin. The articles, entries, and documents are, for the most part, undated. They are not arranged in any regular order, but may be classed as follows:

<sup>1</sup> See "Chartularies of St. Mary's Abbey, Dublin," ii. cxxxiii. Rolls series, 1884.

<sup>2</sup> This subject is referred to at fol. 24b. of the "Red Book." See p. 225.

<sup>3</sup> The leaves are twelve inches in length, and about eight inches and a half in breadth.



Acts of synods of Dublin and Ossory in the fourteenth and sixteenth centuries, taxations and rentals of the latter diocese at various periods.

Documents connected with the Bishops of Ossory, their transactions and rights.

Ordinances and enactments relating to government in Ireland in the fourteenth and fifteenth centuries.

Religious verses ascribed to Richard Lederede, Bishop of Ossory above noticed.

Miscellanea not specially connected with Ossory: Bulls from Popes Adrian IV. and Alexander III. to Henry II. in relation to Ireland; "Magna Carta" of Henry III.; Statutes of England in the thirteenth and fourteenth centuries, treatises on "aqua vitæ" and other "waters"; directions for making "nectar"; French verses on the "proverbs of the Sibyl," with Latin extracts from the Scriptures, "Gregorius," "Cato," and Seneca. The acts of the synods of Dublin and Ossory, entered in this manuscript, were published early in the last century by David Wilkins in the second and third volumes of "Concilia Magnae Britanniae et Hiberniae." Wilkins mentioned that he printed the documents from transcripts. These would appear not to have been accurate, as may be seen by a comparison of the extracts in our Appendix I., from the "Red Book," with the publication of Wilkins. In connexion with the synod held by Bishop Lederede there is extant in the "Red Book" a partly obliterated entry printed in our Appendix IA. Of the taxations of the diocese of Ossory in the "Red Book," the earliest is that stated in the heading to have been entered as found by Bishop Lederede in registers at the Roman Court and at London. It occupies nine pages of the manuscript, in columns, and is undated, but may be assigned to 1306. The taxation of the diocese, made circa 1320, by Bishop Lederede, under royal command, after the war of Bruce in Ireland, is written in more compact style. It occupies six pages in tabular form and will be found in our Appendix II. Under the nine deaneries of the diocese are enumerated one hundred and twelve churches and chapels, with the amount of the valuation, tithes, and procuration of each. The following in relation to the see of Ossory are also given in our Appendix: Agreement with Abbey of St. Augustin, Bristol, 1395-6 (IX.); Compact concerning vestments, 1388 (XI.); instruments on the rights of the Bishops in the Irish town, Kilkenny, 1372-98 (XII.); and statement on the latter subject by Oliver Cantwell, Bishop, 1487-1526-7 (XIII.). The ordinances and statutes, made "for the common profit of the land of Ireland," by the council of the King of England at Dublin and Kilkenny, in 1351, extending over nine pages of the "Red Book," but imperfect at the close, are given in Appendix VII. These enactments are in French and have not apparently been known to historic investigators. It is noteworthy that several of them were included verbatim in the famous "Statute of Kilkenny," A.D. 1367, but without any reference to their previous promulgation in 1351. Of the sections thus repeated the initial portions appear in our Appendix VII., where they are numbered, 6, 7, 8, 9, 10, 11, 13, 14, 15, 19, 22, and 24.

Appendix VIII. contains a decree of 1359-60 against associating with the Irish, using their language, or sending children to be nursed among them. The ordinance of 1380, against absentees from Ireland is printed in Appendix X.

The Latin verses ascribed to Bishop Lederede extend over fifteen pages of the "Red Book," written in double columns. A memorandum at the foot of the first page of them states that the Bishop of Ossory composed these "cantilenæ" for the vicars of the cathedral, his priests

and clerics, to be sung on great festivals and other occasions, that their throats and mouths sanctified to God might not be polluted with unseemly secular songs ; and the singers were enjoined to provide themselves with proper notes according to the requirements of the words. The pieces extend to the number of sixty. They are devoted mainly to the nativity, sufferings, and resurrection of the Redeemer, and the virtues and afflictions of his Mother. Hymns addressed to Our Saviour, the Holy Ghost, and the Blessed Virgin are included among them. In some verses the author prays for temporal as well as spiritual favours, and in others descants on the wickedness of the times, and the transitory nature of greatness. The title "*Cantilena de Nativitate Domini*" is prefixed to the first piece of the series, and the three following are headed "*de eodem festo*." Of all these productions, either the initial lines or the pieces in their entirety are given in Appendix No. III. It will be seen that to some of them lines are prefixed in old English or French, from, it may be assumed, the songs they were intended to supersede or as indicating the appropriate airs. The only copy of Bishop Lederede's verses now known is that in the "*Red Book of Ossory*," and none of them have been either printed or correctly described with the exception of those on their first page, a reproduction of which recently appeared among the "*Facsimiles of the National Manuscripts of Ireland*,"<sup>1</sup> edited by the author of the present report.

From the miscellaneous writings in the "*Red Book*" there will be found in our Appendix extracts from the French verses on the "*proverbs of the Sibyl*," and the directions for making "*nectar*," a compound of wine, honey, and spices (VI.). The opening portion of the treatise on "*aqua vitæ*" is given in Appendix No. V. The author describes the modes of the distillation of "*aqua vitæ*" and of using it in the treatment of numerous diseases for which he avers it to be an unfailing remedy. This treatise, which appears to have been entered in the "*Red Book*" at an early period, contains matter somewhat similar to those referred to by Richard Stanihurst,<sup>2</sup> in the reign of Queen Elizabeth.

A catalogue of the contents of the "*Red Book of Ossory*" is now published for the first time.

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<sup>1</sup> Part IV. 2. Appendix, Plate XXIII. London, 1884.

<sup>2</sup> "One Theoricus wrote a proper treatise of aqua vitæ, wherein he praiseth it unto the ninth degree. He distinguisheth three sorts thereof, simplex, composita, and perfectissima. He declareth the simples and ingredients thereto belonging. He wisheth it to be taken as well before meat as after." . . . "Ulstadius also ascribeth thereto a singular praise, and would have it to burne being kindled, which he taketh to be a token to know the goodness thereof. And trulie it is a sovereigne liquor if it be orderlie taken." "The second volume of Chronicles . . . collected by Raphaell Holinshed." London, 1586, p. 13.

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<sup>1</sup> Where dates are not given, the documents are undated in the Ms.

<sup>2</sup> From "Expugnatio Hibernica," by Cambrensis, i. xxxv.

<sup>3</sup> Among these regulations are the following: "[1.] Presbiteri Conactenses et Ultonienses non admittantur, nisi judicio Ordinarii inveniantur idonei. Quod non solventes pasturam, et simili ordine decimas, excommunicentur."—" [8.] Calices stannei sint post annum suspensi, nec tales amodo consecrari debent, nisi cypus saltem argenteus sit."—" [9.] Clerici amodo ludentes ad pilam pedalem, solvant toties quoties xl.d. Ordinario, et xl.d. reparationi ecclesie ubi talis ludus exercetur."—See "Concilia Magnae Britanniae et Hiberniae," vol. iii. p. 660. London: 1737

<sup>4</sup> These Constitutions were printed by Wilkins in the third volume of his "Concilia," 1737, commencing at page 18, and with the following addition:—"Ex ms. penes Rev. Episcopum Clogherensem. Copia vera extracta ex libro rubro, antiquissimo diocesis Ossoriensis registro seu recordo, per Rich. Connell, notar.

<p>"[Q]uoniam sanctorum patrum decreta pro moribus reformandis et excessibus corrigendis, quantumcunque hactenus salubriter ordinata, effectum, pro quo ordinantur ad plenum sortiri non possunt, eo presertim, quod humana natura ad malum facilius inclinans, contra juris remedia ob animarum salutem feliciter instituta per suas nodosas et in[ex]tricabiles machinationes novas adinventiones cotidie nititur producere: Nos, Johannes, permissione Divina Dublin Archiepiscopus, unacum suffraganeis nostris in Concilio nostro Provinciali in ecclesia nostra Sancte Trinitatis, Dublin, die Mercurii proximo post festum Sancti Patricii, anno Domini 1351, celebrato, ad laudem Dei, ac gloriose Virginis et Dei genitricis Marie, omniumque sanctorum, et sancte matris ecclesie venustatem pro moribus subditorum solidandis, et viciis extirpandis, constitutiones infra scriptas breves et utiles pro tempore jam instanti, de consensu et assensu suffraganeorum nostrorum predictorum, ac nostrorum et eorundem suffraganeorum, capitulorum, necnon et aliorum omnium, quorum consensus requiritur in hac parte, duximus promulgandas; decernentes eas a quibuscunque subditis nostrarum civitatis, diocesis et provincie fore futuris temporibus firmiter observandas"</p>				15b
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<p>At end: "[U]t autem dictarum Constitutionum recens in futurum habeatur memoria, mandamus co-episcopis et suffraganeis nostris universis, quod ipsas in suis diocesibus per se et alios faciant solempniter publicari, et firmiter observari, ac in suis synodis episcopalibus singulis annis publice recitari, ut per eas perversorum refrenetur audacia, libertatesque et jura ecclesiastica conserventur illesa ad utilitatem communem, laudem et gloriam nominis Jesu Christi, qui pacem et tranquillitatem ecclesie et terre Hibernicane foveat et confirmet, Amen."</p>				
15. "[T]axaciones ecclesiarum et beneficiorum fructuum et reddituum episcopatus Ossorie secundum Registrum Curie, prout Episcopus, Frater Ricardus, <sup>1</sup> invenit in Curia Romana, et in Registro clericorum prope London, et in Registro apud ecclesiam Sancti Pauli, ibidem"				17*
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<sup>1</sup> Bishop Lederede. This "taxation" appears to have been made circa A.D. 1306.

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<sup>1</sup> John de St. Paul, Archbishop of Dublin, A.D. 1349–1362.

<sup>2</sup> Alexander de Bicknor, Archbishop of the same see, A.D. 1317–1349.

<sup>3</sup> Pope Clement VI., in a letter addressed from Avignon, in April 1347, to Richard FitzRalph, Archbishop elect of Armagh, referred as follows to the charges made by Bishop Lederede against De Bicknor, Archbishop of Dublin, in relation to the procurations levied as above stated in the diocese of Ossory:—"Quod in gravamen ipsius Episcopi [Lederede], absque aliqua causa rationabili, civitatem et diocesim Ossoriensem, annis singulis visitans ab ejusdem Episcopi subditis et locis eorum procuraciones duplices extorserat et etiam extorquebat et alias dictos subditos gravaverat multipliciter et indebite et gravabat." "Veterum Monumenta Hibernorum et Scottorum," 1864, p. 287.

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"Abbas de Jeriponte" - - - - -	"
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"Et licet beneficia religiosorum ita fuerunt quondam prout supra scribitur, tamen in anno Domini millesimo tricesimo et nonagesimo sexto, quidam religiosi acquisiverunt diversas ecclesias de novo, et quidam eorum per negli[gentiam] quasdam ecclesias perdiderunt ad tempus, et sicut obtinuerunt possessiones earundem ita infra continetur:" - - - - -	"
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<sup>1</sup> A portion of the Ms. between the leaves numbered 53 and 54 is missing. See page 220.

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## I.

## SYNODAL CONSTITUTIONS FOR DIOCESE OF OSSORY, CIRCA A.D. 1320.

"Hic incipiunt Constitutiones<sup>2</sup> Sinodales ecclesie Ossoriensis.

"In Dei nomine, Amen. Zelo sanctitatis et ecclesie sancte Dei, ac Sancti Cannici Ossoriensis, cujus licet immeriti sponsus non mediocriter accensi, ut juxta verbum prophete dicere valeamus, Tota pulchra es, amica mea, et macula non est in te :

"Subscripta statuta synodalia ad mundiciam et sanctitatem universalie ecclesie, episcopatus Ossoriensis, Divina gracia adjuti et suffulti, presentis synodi auxilio, et concilio confratrum Canonicorum dicte ecclesie Sancti Cannici, auctoritate ordinaria, duximus ordinanda in Domino Jesu Christo.

"Firmiter credimus, et specialiter confitemur, quod unus est solus Deus, verus, omnipotens, eternus, immensus, incommunicabilis, incomprehensibilis, Pater, et Filius, et Spiritus Sanctus; tres quidem persone, sed una essentia, substantia, seu natura, simplex omnium, etc. prout in articulis fidei plenius continetur.

"Super quibusdam quidem articulis volumus, et districte precipiendo mandamus omnibus subditis nostris, quatenus, si quempiam contra articulos fidei delinquentem vel dogmatizantem in dyocesi Ossoriensi sciverunt, vel scire poterint infuturum, extunc ut exnunc, ipsum de nomine delinquentis, et modo culpe certificare non omitant infra mensem a tempore scientie computandum, sicut Divinam voluerint effugere ulcionem.

"De consecratione et reconciliacione ecclesiarum.

"Presentis Synodi approbatione precipimus quod conventuales et parochiales ecclesie totius Ossoriensis dyocesis non dedicate, sive rurales,

<sup>1</sup> Chancellor of Ireland, A.D. 1575–80.

<sup>2</sup> In relation to the transcript, which he used, of this document, David Wilkins wrote as follows: "Constitutiones has ex Libro Rubro Ossoriensi in custodia Episcopi Ossorien, transcribi fecit Tho. Ottaway [Orway], Episcopus Ossoriensis, anno Dom. M.D.C LXXXVI. in usum Episcopi Midenis. Richardus Ledredus "juxta Waracum anno Dom. M.CCCXVIII., Avinione consecratus est; sub cujus "episcopatus anno secundo Constitutiones collocamus."—"Concilia Magne Britannie et Hibernie," vol. ii. p. 591. London: 1737.



sive prebende, aut dignitatibus vel prebendis sint annexe, cum earum cineteriis, necnon capelle, proprios rectores habentes, que jam perfectis parietibus sunt constitute, et precipue majora altaria in eisdem infra sex mensium spacium, a proximo preterito festo Sancti Michaelis computandum, ad consecrandum sufficienter preparantur et honeste. Eas autem Rectores earum, et parochiani infra idem tempus, procurent consecrari, ac etiam consecratas ecclesias, si violate fuerint, reconciliari infra idem tempus, sub pena quadraginta solidorum elemosine Episcopo,<sup>1</sup> una cum procuracionibus suis ad hoc faciendum solvendorum pro qualibet ecclesia, capella, vel cineterio non dedicato. In ecclesiis vero dedicatis annus et dies dedicacionis earum et nomen, in cujus honorem dedicatur, cum nomine dedicantis, et numero dierum indulgentie in consecracione concessae, distincte et aperte, circa majus altare, in loco ad hoc idoneo, conscribantur, ut anniversaria dies dedicacionis a parochianis memoretur, et reverenter annis singulis solemniter ferianda. Alias ferianda observetur."

"De residencia facienda in ecclesia curata.

Fol. 6b.

"Cum ecclesiastica sacramenta in parochialibus ecclesiis per eos, quibus cura animarum, si in ipsis inibi a diocesano committitur, secundum justiciam tractari debeant et dispensari; nos, felices recordacionis Bonifacii Pape Octavi vestigiis inherentes, statuendo precipimus, quod omnes et singuli beneficia ecclesiastica, quibus cura animarum est annexa, in dyocesi Ossoriensi obtinentes, nondum in presbiteros ordinati, infra annum a tempore publicacionis presencium, ad omnes sacros ordines, quos beneficiorum suorum cura requirit, statutis a jure temporibus se faciant promoveri, ad sacramenta ecclesiastica ministranda ut tenentur; et ad hoc in suis beneficiis residenciam faciant corporalem, nisi a jure vel ab homine cum ipsis fuerit super hoc legitime dispensatum, sic ut penas contra non residentes sancitas alias canonicas voluerint evitare.

("Ad quam residenciam incontinenti faciendam, nos, Episcopus Ossoriensis, omnes hujusmodi beneficia obtinentes monemus primo, secundo, et tercio, sub pena privacionis.")

"De residencia facienda, et juramento Vicariorum.

"Ad vicariam perpetuam, curam animarum habentem, statuimus nullum de cetero fore admittendum, nisi jam in presbiterum ordinatum, vel saltem diaconum, vel sub-diaconum, in proximis quatuor temporibus in presbiterum ordinandum; qui renunciatis aliis beneficiis, si que habeat, juret residenciam facere continuam in eadem<sup>3</sup> et corporalem, et faciat, ut jurabit; alioquin institutionem illius decernimus fore nullam, et vicariam alii fore conferendam juxta sanctorum patrum sanctiones."

\* \* \* \* \*

"Si vero contra hoc statutum aliqua vicaria, sive mansus, vel aliud beneficium ecclesiasticum laicis vel clericis ad firmam sit tradita vel dimissa, nos, de expresso consensu Capituli ecclesie Sancti Cannici et majoris partis cleri dyocesis Ossoriensis, terciam partem proventuum omnium hujusmodi beneficiorum, sive clericis sive laicis, sine licencia Episcopi sic de facto ad firmam traditorum, decernimus in hiis scriptis fabrice majoris ecclesie cathedralis Ossoriensis et elemosine Episcopi pro equali porcione modis omnibus applicandam. (Decernentes hujusmodi firmas ipso jure nullius fore momenti, quodque hujusmodi firmas tradentes et recipientes ipso facto vinculo majoris excommunicacionis sint innodati.)"<sup>4</sup>

Fol. 7b.

<sup>1</sup> Episcopo] Episcopi, Ms.

<sup>2, 4</sup> The passages within parentheses are in writing somewhat different from that in the preceding portion of the section.

<sup>3</sup> eadem] eandem, Ms

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Fol. 8b.

\* \* \* \* \*

"De Sancta Synodo, et lectura statutorum."

"Nos, insuper, Frater Ricardus, Dei et Apostolice Sedis gracia Ossoriensis Episcopus, omnia et singula hujusmodi statuta synodalia de expresso consensu majoris et sanioris partis Capituli ecclesie cathedralis Sancti Cannici Ossoriensis dyocesis ordinata, de assensu majoris partis cleri totius dyocesis Ossoriensis statuimus ac decernimus, et in virtute sancte obediencie districte precipimus, et mandamus ab omnibus subditis nostris per totam dyocesim Ossoriensem firmiter et inviolabiliter perpetuis temporibus observari, et etiam in Sancta Synodo per Episcopum, vel Archidiaconum, aut officialem Episcopi, cum previa propositione verbi Dei in hac ecclesia cathedrali Sancti Cannici, die Martis proximo post festum Sancti Michaelis, quolibet anno semel solempniter celebranda, de verbo ad verbum recitari; delinquentes vero contra hujusmodi statuta ubi certa pena non est imposita arbitrio Ordinarii, decernimus in his scriptis fore puniendos: singuli quoque Decani rurales transcriptum eorundem infra mensem proxime futurum, et extunc infra sex menses, Rectores et Vicarii dicte dyocesis per Decanos sibi fieri procurent, ac in suis ecclesiis salvo custodiant ad perpetuam rei memoriam, et instructionem successorum."

\* \* \* \* \*

Fol. 8b.

"De immunitate ecclesiarum, et jurisdictionem ecclesiasticam impediens."

"Ab exordio cultus Divini inter homines, sacerdotes et pontifices fuisse legitimus erga populum in sanctificatione et honore, ut patet in Melchisedeck, Aaron, filiis, et eorum successoribus. Pagani etiam et gentiles, et Saraceni in sectis suis, sacerdotes et pontifices pre ceteris colere solent et honorare, ut patet in Alcorano et eorum libris. Nam magnificus ille mundi monarcha Alexander, videns Saddam pontificem sibi occurrentem, nomen Dei portantem in fronte, pronus in terram procidens adoravit eum[que] privilegiis et muneribus multipliciter adornavit. Sed et Constantinus Imperator in pleno Concilio Generali minorem sacerdotem pontificali dignitate insignitum ante se pretulit, et tanquam iudices animarum Episcopos ceteris mortalibus censuit preferendos, cujus successores omnes, Imperatores, Reges, et Principes Catholici Episcopos, tanquam patres eorum spirituales, et eorum ecclesias donis, libertatibus, possessionibus etiam variis et magnis, que Christi et Ecclesie patrimonium appellantur, magnifice dotaverunt. Sed et Dominus noster Jesus Christus, Rex regum, et Dominus dominancium, Summusque Pontifex, Episcopos successores Apostolorum instituit, claves Ecclesie, potestatem solvendi atque ligandi, et sacramentorum administrationem eisdem commisit, per quos, et quorum manus, gracia Spiritus Sancti ad salutem animarum in clero pariter et populo per mundum transfunditur universum. Ex quibus concluditur, quod omnis gens, omnis status, omnis secta Episcopos et sacerdotes Dei solet honorare. Sola tamen quedam gens pestifera novella in quibusdam partibus nostris, ab aliis terre fidelibus discrepans, spiritu diabolico plena, ab secta omnium Dei cultorum exorbitans, gentilibus et Judeis crudelior, Episcopos, sacerdotes Dei Summi, prosequitur in vita pariter et in morte, spoliando et lacerando Christi patrimonium in dyocesi Ossoriensi, Dominicam incurrando maledictionem, quorum maliciis, que plus solito invaluerunt et invalescunt, cogimur, ut possimus, obviare.

Fol. 9a.

"Adhec cum dispensacio clavium ecclesie, quas Christus Apostolis commisit, et Episcopis eorum successoribus, commode exerceri non possit sine ecclesiastica jurisdictione, per quam extirpantur vicia et inseruntur virtutes; nonnulli tamen iniquitatis filii subditi nostri, in-

stinctu quodam diabolico, Episcopis, et eorum ministris, jurisdictionem ecclesiasticam secundum canonica instituta exercentibus, minas machinantur et intentant gravissimas, ad indictandum, vexandum, intractandum, et imbrigandum in curiis secularibus; ac per hoc impedire nituntur correctiones peccatorum, et salutem animarum, in contemptum Dei et ecclesie, et cumulum proprie dampnationis eterne: super quo de speciali remedio statuere compellimur et ordinare.

“Nos, igitur, de unanimi consensu Capituli nostri, necnon totius cleri in plena synodo constituti, statuimus et ordinamus quod quicumque persone Episcopi violenciam intulerit aut scandalum; quicumque eciam Episcopum, sacerdotem, Rectorem, Vicarium, seu clericum bonis spoliaverit, mobilibus sive immobilibus, ubicunque, in vita vel in morte; omnes et singuli, qui in maneriis episcopalibus Episcopum spoliaverint bladiis, animalibus, vasis, utensilibus, seu aliis bonis quibuscunque, lacerando domos, prescidentes sylvas, destruendo cunicularia, pascua, et vivaria, seu quecunque alia bona ad Christi et Ecclesie patrimonium pertinencia; omnes eciam jurisdictionem episcopalem impediennes, indictantes maliciose, et interminantes Episcopum, et ministros jurisdictionis sue propter exercitium ejusdem infra suam dyocesim, ad corrigendum peccata, et ad hoc, vel aliquod premissorum auxilium prestiterint, concilium, vel favorem, ipso facto sint excommunicati excommunicatione majore; a qua non possunt absolvi, nisi prius facta plenaria restitutione ablatorum, et de offensa ecclesie sufficienti satisfactione et emenda. Insuper, quia juris ordo et rationis hoc requirit, ut in quo quis deliquerit in eo puniatur, ordinamus et statuimus quod supradicti nequitiorum filii omnes et singuli Ecclesiam Dei spiritu diabolico impugnantes, una cum excommunicatione predicta, omni careant ecclesiastica libertate et immunitate, tam in personis quam in bonis, in vita pariter et in morte sint eorum persone infames et intestabiles, et ecclesiastica careant penitus sepultura.

“Inhibemus eciam districte omnibus et singulis sacerdotibus, sub pena excommunicationis majoris, ne quemquam ex supradictis nequitie filiis admittant post mortem ad ecclesiasticam sepulturam, propter favorem quemcunque seu cujuscunque. Quod si forte contigerit ignoranter, statim agnita veritate corpus illud putridum faciat exhumari, et membra illa diabolica extra sanctuarium in sterculinum projici; ut discant alii quanti sit demeriti ministros Christi et Ecclesiam Dei prosequi, quam Ipse sanguine proprio redemit, et univit sibi sponsam, Fol. 9b. cujus Ipse Caput<sup>1</sup> est, nosque membra ejus. Quod si secus actum sit, ecclesiam ipsam et cimiterium ecclesiastico supponimus interdicto, donec illud corpus maledictum a societate Christianorum projectum sit et abjectum.”

\* \* \* \* \*

“Sententia generalis.”

Fol. 10.

“Ex auctoritate Dei Patris, Filii, et Spiritus Sancti, necnon et Sancte Dei Genitricis Marie, et beati Michaelis Archangeli, et omnium celestium Virtutum, atque Patriarcharum, et Prophetarum, et Sancti Johannis Baptiste, atque omnium sanctorum, Apostolorum Petri et Pauli, et Stephani, prothomartiris Christi, atque omnium Martirum, Sancti Cannici, et beatorum Kerani et Francisci, Confessorum, et sanctarum Virginum, simulque omnium Sanctorum auctoritate, excommunicamus, atque a liminibus Sancte Matris Ecclesie sequestramus, omnes illos qui maliciose hanc

<sup>1</sup> Caput] capud, Ms.

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ecclesiam Sancti Cannici, vel aliquas ecclesias Ossoriensis dyocesis suis juribus vel libertatibus inquietant, molestant, et defraudant, aut earum possessiones terrarum, vel libertatum, vel res, quas juste possident, fraudulenter invadere nituntur, seu injuste per seculi potentiam, vel cautelas auferre contendunt infuturum, ablatasque detinent publice vel occulte, necnon omnes et singulos, qui ipsis in premissis opem, consilium [vel] auxilium prestant vel favorem, omnes eciam fractores ecclesiarum, seu domorum ecclesiasticorum incendiarios, sacrilegos, sortilegos, publicos hereticos, usurarios, Ecclesie Dei et terre pacis perturbatores, sequestrarii ecclesiastici violatores, occultos et publicos detentores decimarum, et bonorum mobilium ab intestato decedencium post sequestum in eisdem auctoritate ordinaria appositum, regiasque prohibiciones in causis testamentariis seu matrimonialibus, vel mere spiritualibus in ecclesiastice jurisdictionis elusionem temere impetrantes, et precipue omnes illos qui de domibus, maneriis, grangiis, vel aliis locis ad episcopatum Ossoriensem, vel ad aliquam ecclesiam Ossoriensis dyocesis pertinentibus, quicquam de bonis mobilibus preter voluntatem aut permissionem dominorum, vel eorum qui sunt hujusmodi rerum custodes, deputati auferunt, spoliunt, abducunt, asportant, et detinent publice vel occulte, seu qui hujusmodi iniquitatis filiis opem, consilium, auxilium prestant audaciam vel favorem, sint a Deo et beata Maria Virgine, omnibus Sanctis Dei, et nobis maledicti, interius et exterius maledicti, in via maledicti, in agro maledicti, in civitate maledicti, in domo et extra domum maledicti, egredientes et regredientes maledicti, manducando, bibendo, dormiendo, et vigilando, stando atque sedendo, et quicquid operis sive in bello, sive in pace faciendo. Deleantur de libro vivencium, et cum justis non scribantur, fiat habitacio eorum deserta, in habitaculis eorum non sit qui habitet, obscurantur oculi eorum ne videant, et dorsa eorum currentur. Effunde, Domine, super eos iram tuam, et furor ire tue comprehendat eos; appone iniquitatem super iniquitatem eorum, et non intrent in justiciam tuam; fiat mensa eorum coram ipsis in laqueum, et in retributiones et scandalum; scrutetur fenerator omnem substantiam eorum; et diripiant alieni labores eorum; et quia dilexerunt maledictionem, veniat ad eos; et noluerunt benedictionem, et elongabitur ab eis; fiant dies eorum pauci, et possessiones eorum accipiant alteri; fiant filii eorum orphani, et uxores eorum<sup>1</sup> vidue; Deus conterat dentes eorum, et lingue eorum nunquam loquentur sapienciam; sitque pars et societas eorum cum Dathan at Abiron, cum Saphira et Anania, cum Juda et Pilato, cum Simone et Nerone; et sicut extinguuntur iste lucerne, ita claritas lucis visionis Dei ipsis extinguatur, et anime eorum, qui hujusmodi maleficia fecerint seu faciant infuturum, cadant in infernum cum Diabolo et ministris ejus, nisi a commissis resipiscant, et ad emendacionem congruam veniant. Fiat, fiat." Amen.

"Precipimus insuper quod hujusmodi sententia excommunicacionis per omnes Rectores, Vicarios, seu presbiteros parochiales dyocesis Ossoriensis in singulis ecclesiis suis semel in quolibet quarterio anni coram clero et populo, cum major fuerit multitudo populi in ipsis ecclesiis, inter missarum solempnia, pulsatis campanis, candelis accensis, solempniter publicetur, de verbo ad verbum, recitetur in lingua materna, sub pena excommunicacionis, quam non facientes incurrere volumus ipso facto."

<sup>1</sup> eorum] ejus, Ms.

## IA.

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OSSORY.PARTLY OBLITERATED ENTRY IN RELATION TO RICHARD LEDEREDE,  
BISHOP OF OSSORY.

Fol. 106.

"Memorandum quod anno Domini millesimo ccc<sup>o</sup> sexto decimo, translato Willelmo Episcopo Ossoriensi, quarto die post festum Annunciationis beate Virginis, ad archiepiscopatum Cassellensem, frater Ricardus de Ledred de ordine Minorum, de Anglia oriundus, per Sedem Apostolicam factus est Episcopus Ossoriensis pro illo subsequenter, qui admisus a rege temporalibus erat, traditis et literis Apostolicis Archiepiscopo Dublinensi, et capitulo suo, Kilkennie publicatis, celebrata inauguratione sua apud Kilkenniam, convocato capitulo et clero totius diocesis synodum solempnem in octavis beati Michaelis sequentis celebravit et statuta synodalia supradicta per eum facta publicavit et de consensu capituli et cleri publice statuit observari. Qua synodo celebrata . . . maneria episcopalia fuerunt de[structa per] guerram Scotorum et ut (four lines obliterated) et viri religiosi occupant . . . Ideo exiliter responsum est episcopo de beneficiis supradictis. Acta sunt hec die et loco supradictis."

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II.—TAXATION OF DIOCESE OF OSSORY, CIRCA A.D. 1320.  
IN DECANATU DE OBARGON—concluded.

Taxacio.	Decima.	Procuracio duorum denariorum de marca.
Ex parte vicarii -	-	-
Ecclesia de Instyoke -	-	-
Ecclesia de Colmekille -	-	-
Ecclesia de Balyfassath -	-	-
Ex parte vicarii-nichil, propter onera.	-	-
Ecclesia de K'ylcolme -	-	-
Ex parte vicarii -	-	-
Ecclesia de Lesterglyn tota -	-	-
Ecclesia de Rowyr -	-	-
Ecclesia de Dromdowny -	-	-
IN DECANATU DE OUERE.		
Ecclesia de Inylhaght -	-	-
Ecclesia de Clonýmyl -	-	-
Ecclesia de Fydoun cum membris -	-	-
Ex parte vicarii -	-	-
Ecclesia de Beaulu -	-	-
Ecclesia de Polnestoly -	-	-
Ex parte vicarii-nichil.	-	-
Ecclesia de Balytarsyn -	-	-
Ecclesia de Castlan -	-	-
Ecclesia de Maculý -	-	-
IN DECANATU DE OUERE.		
decima	decima	Procuracio
iii.s.	iii.s.	iii.d. ob.
iii.s.	iii.s.	iii.d. ob.
vi.s.	vi.s.	ix.d.
xii.d.	xii.d.	i.d. ob.
—	—	—
iii.s.	iii.s.	iii.d. ob.
xii.d.	xii.d.	i.d. ob.
ii.s.	ii.s.	iii.d.
iii.s.	iii.s.	vi.d.
ii.s.	ii.s.	iii.d.
Summa decime xxxi.s.	Summa decime xxxi.s.	iii.s. x.d. ob.
decima	decima	Procuracio
iii.s.	iii.s.	iii.d. ob.
ii.s.	ii.s.	iii.d.
xii.s.	xii.s.	xviii.d.
vi.s.	vi.s.	ix.d.
iii.s.	iii.s.	iii.d. ob.
xviii.d.	xviii.d.	ii.d. quad.
—	—	—
xii.d.	xii.d.	i.d. ob.
xii.d.	xii.d.	i.d. ob.
iii.s.	iii.s.	iii.d. ob.

II.—TAXATION OF DIOCESE OF OSSORY, CIRCA A.D. 1320.  
IN DECANATU DE QUERK—concluded.

Taxacio.	Decima.		Procuracio dñorum denariorum de marca.
Ecclesia de Dunkýt	-	lx.s.	Procuracio - ix.d.
Ex parte vicarii -	-	xx.s.	" - iii.d.
Ecclesia de Kilmaboy	-	lx.s.	" - ix.d.
Ex parte vicarii-nichil.	-	-	-
Ecclesia de Carcoman	-	xl.s.	" - vi.d.
Ecclesia de Kilkylehyn	-	vi.s. viii.d.	" - i.d.
		Summa decime li.s. ii.d.	Summa procuracionum. vi.s. iii.d.
		ob. quzd.	
IN DECANATU DE KILKENNY.			
Ecclesia Beate Marie	-	iii.li.	Procuracio - xii.d.
Ecclesia Beati Patricii	-	vi.li.	" - xviii.d.
Ecclesia Sancti Johannis	-	xl.s.	" - vi.d.
Ecclesia Sancti Cannici	-	xxx.s.	" - iii.d. ob.
		Summa decime xxvii.s.	Summa procuracionum iii.s. iii.d. ob.
IN DECANATU BE CLARAGH.			
Ecclesia de Blauncheuyleston	-	xxx.s.	Procuracio - iii.d. ob.
Ecclesia de Dromýrthre	-	xxx.s.	" - iii.d. ob.
Ex parte vicarii -	-	x.s.	" - i.d. ob.
Ecclesia de Tylagh tota	-	x.li.	" - ii.s. vi.d.
Ecclesia de Dungarvan	-	c.s.	" - xv.d.
Ex parte vicarii -	-	xl.s.	" - vi.d.
Ecclesia de Kilmédymoke	-	vi.s. viii.d.	" - i.d.

II.—TAXATION OF DIOCESE OF OSSORY, CIRCA A.D. 1320.  
IN DECANATU DE CLARAGH—concluded.

Taxacio.	Decima.	Procuracio duorum denariorum de marca.
Ecclesia de Claragh	decima	Procuracio
Ex parte vicarii	vi.s.	ix.d.
Ecclesia de Kilfan	ii.s.	iii.d.
Ecclesia de Madokeston	viii.s.	xii.d.
Ecclesia de Fynel	iii.s.	iii.d. ob.
Ex parte vicarii-nichil.	iii.s.	iii.d. ob.
Ecclesia Sancti Martini, ex parte prebendar'	—	—
Ex parte vicarii	ii.s.	iii.d.
Ecclesia de Rathcoull	vi.s.	ix.d.
Ecclesia de Tascobhyn	x.s.	xv.d.
Ecclesia de Kilmelag	iii.s.	vi.d.
Ecclesia de Tredynston	iii.s.	iii.d. ob.
	xii.d.	i.d. ob.
	Summa de- iii.li. ix.s. vii.d. cime.	Summa procuracionum xi.s. ii.d. ob.
IN DECANATU DE SILLER.		
Ecclesia de Balamary tota	decima	Procuracio
Ecclesia de Inchohan	iii.s.	vi.d.
Ecclesia de Balyburry	iii.s.	vi.d.
Ecclesia de Tylabrog	xii.d.	i.d. ob.
	viii.s.	xii.d.



II.—TAXATION OF DIOCESE OF OSSORY, CIRCA A.D. 1320.  
IN DECANATU DE SILLER—*concluded.*

Taxacio.	Decima.	Procuracio duorum denariorum de marca.
Ex parte vicarii -	-	-
Ecclesia de Kiltauin -	-	-
Ex parte vicarii -	-	-
Ecclesia de Kilmanagh -	-	-
Ecclesia de Kilfetheragh -	-	-
Ecclesia de Drumelgyn cum capella -	-	-
Ecclesia de Tylahany -	-	-
Ecclesia de Groweyn -	-	-
Ecclesia de Dulfert -	-	-
Ex parte vicarii -	-	-
	xx.s.	iii.d.
	iiii.li.	xii.d.
	xxx.s.	iiii.d. ob.
	vi.li.	xviii.d.
	xx.s.	iii.d.
	xx.s.	iii.d.
	xvi.d.	ii.d.
	iii.s.	vi.d.
	vi.s.	ix.d.
	ii.s.	iii.d.
	Summa decime lix.s. iiii.d.	Summa procuracionum vii.s. v.d.
IN DECANATU DE AGHTHOUR.		
Ecclesia de Donaghmore -	-	-
Ecclesia de Acmacart -	-	-
Ecclesia de Aghmylre -	-	-
Ecclesia de Aghthour -	-	-
Ecclesia de Tybribrytayne -	-	-
Ex parte vicarii-nichil.	-	-
Ecclesia de Stafen -	-	-
Ecclesia de Clontybrit -	-	-
Ex parte vicarii-nichil.	-	-
	decima	Procuracio
	viii.s.	xii.d.
	ii.s.	iii.d.
	iii.s.	vi.d.
	viii.s.	xii.d.
	xii.d.	i.d. ob.
	—	—
	ii.s.	iii.d.
	xii.d.	i.d. ob.
	—	—

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II.—TAXATION OF DIOCESE OF OSSORY, CIRCA A.D. 1320.  
IN DECANATU DE AGHTHOUR—concluded.

Taxacio.	Decima.	Procuracio duorum denariorum de marca.
Ecclesia de Kyllagh	-	Procuracio -
Ecclesia de Clomantagh	-	" -
Ex parte vicarii	-	" -
Ecclesia de Rathlohan	-	" -
Ecclesia de Fertkeragh	-	" -
Ecclesia de Coulcassyn	-	" -
Ecclesia de Galmoy tota	-	" -
	decima	Procuracio
	ii.s. viii.d.	iii.d.
	v.s.	vii.d. ob.
	xii.d.	i.d. ob.
	ii.s.	iii.d.
	ii.s.	iii.d.
	viii.s.	xii.d.
	viii.s.	xii.d.
	Summa decime liiii.s. viii.d.	Summa procuracionum vi.s. x.d.
IN DECANATU DE ODOGH.		
Ecclesia castri de Odogh	-	Procuracio -
Ex parte vicarii	-	" -
Ecclesia de Donaghmore	-	" -
Ecclesia de Rathill, i.e. grangia	-	" -
Ecclesia de Comyr	-	" -
Ecclesia de Macully-ex parte rectoris	-	" -
Ecclesia de Mothill	-	" -
Ex parte vicarii	-	" -
Ecclesia de Donmore	-	" -
Ex parte vicarii	-	" -
Ecclesia de Aghteyr	-	" -
Ex parte vicarii	-	" -
Ecclesia de Rathbeath	-	" -
	decima	Procuracio
	vi.s.	ix.d.
	ii.s.	iii.d.
	vii.s. vi.d.	x.d.
	viii.s.	xii.d.
	xvi.s.	ii.s.
	xii.d.	i.d. ob.
	iii.s.	vi.d.
	xii.d.	i.d. ob.
	xii.s.	xviii.d.
	xii.d.	i.d. ob.
	viii.s.	xii.d.
	iii.s.	vi.d.
	xii.d.	i.d. ob.

II.—TAXATION OF DIOCESE OF OSSORY, CIRCA A.D. 1320.  
IN DECANATU DE ODOGH—*concluded.*

Taxacio.	Decima.	Procuracio duorum denariorum de marca.
Ex parte vicarii-nichil.		
Ecclesia de Mayn -	decima	Procuracio -
Ecclesia de Culcahyu -	viii.s.	-
Ecclesia de Kilcolman -	iii.s.	-
Ecclesia de Rosconyl -	xiii.s. iii.d.	-
Capella de Kilmenhan -	iii.s.	-
Ex parte vicarii-nichil.	ii.s.	-
Ecclesia de Kilmekar -	-	-
Ex parte vicarii-nichil.	vi.s. viii.d.	-
	Summa decime cix.s. viii.d.	Summa procuracionum xiii.s. viii.d. ob.
IN DECANATU DE AGHEBO.		
Ecclesia de Aghebo -	decima	Procuracio -
Ex parte vicarii-nichil.	viii.s.	-
Ecclesia de Offerlan -	-	-
Ex parte vicarii -	x.s.	-
Ecclesia de Bordwell -	ii.s.	-
Ecclesia de Rathdowny -	iii.s.	-
Ecclesia de Culkyr -	viii.s.	-
Ecclesia de Donaghmore -	ii.s.	-
	Summa decime xxxvi.s.	Summa procuracionum iii.s. vi.d.
	Summa tax- xxxiii.li. xxii.d.	Summa procuracionum iii.li.s. xi.d.
	ate decime.	supradictarum. ob. quad.

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II.—TAXATION OF DIOCESE OF OSSORY, CIRCA A.D. 1320.—*concluded.*

SUMMA REDDITUM ET PROVENTUUM			
EPISCOPATUS OSSORIENSIS	-	liii.li. vi.s. viii.d.	
UNDE DECIMA	-	cvi.s. viii.d.	
Procuraciones	-	xiii.s. iii.d.	
Decima Prioris de Instyok	-	xviii.s. viii.d.	
„ Prioris de Fertkeragh	-	vi.s. viii.d.	
„ [blank]			
„ Abbatis de Dowysky	-	iiii.li. vii.s. vi.d.	
„ Abbatis de Jeryponte	-	iiii.li. xvi.s. viii.d.	
„ Abbatisse de Kilkylehyn	-	vi.s. viii.d.	
„ beneficiorum Prioris de Kenlys		iiii.li. viii.s. viii.d.	
Summa decime rectoris de Callan	-	v. marce.	
Summa decime Prioris Sancti Johannis			
Kilkennie	-	xxxvi.s.	
Prior de Acmacart	-	vi.s. viii.d.	
Summa decime Episcopi et religiosorum			
		xxv.li. xi.s. vi.d. ob.	
Summa summarum predictarum decimarum			
	-	lviii.li. xiii.s. iii.d. ob.	

III.

VERSES ASCRIBED TO RICHARD LEDEREDE, BISHOP OF OSSORY.

Fol. 70.

“Nota: Attende, lector, quod Episcopus Ossoriensis fecit istas cantilenas pro Vicariis ecclesie Cathedralis, sacerdotibus et clericis suis, ad cantandum in magnis festis et sol[atiis] ne guttura eorum et ora Deo sanctificata polluantur cantilenis theatralibus turpibus et secularibus, et cum sint cantatores provideant sibi de notis convenientibus secundum quod dictamina requirunt.”

“ [1.] Cantilena de Nativitate Domini.  
Verbum caro factum est de virgine Maria  
Cujus nomen est qui est—”

“ [2.] Alia cantilena de eodem festo.  
Vale, mater Christi,  
Virgo regia, in te mea spes  
Menti mee tristi  
Data venia solamen tu es—”

“ [3.] De eodem festo.  
Natus est de virgine Rex glorie  
Sine viri semine natus est de virgine—”

“ [4.] De eodem festo.  
Nato Marie filio congaudeat ecclesia  
Verbo rerum principio nato Marie filio—”

Fol. 70b.

“ [5.] Lingua, manu, opere, exultemus et letemur hodie  
Stude Christo psallere lingua, manu, opere—”

“ [6.] Fons salutis nostre plene  
Dei mater cum filio  
Grata Deo tue gene  
Fons salutis nostre plene—”

" [7.] En Christi fit memoria qua florent refflorent florida  
Da vera cordis gaudia—"

" [8.] Haue mercy of me frere"

" Decus et gloria,  
A Magis adorato  
Honor in secula—"

" [9.] Da, da nobis nunc,  
Da colere solempnia festa,  
Da Parvuli promere gesta : Da, da nobis nunc.  
Da, da nobis nunc,  
Da matri laudis honorem,  
Da Parvulo cordis amorem : Da, da nobis nunc.  
Da, da nobis nunc,  
Da sic componere gestum,  
Nil mestum nil inhonestum : Da, da nobis nunc.  
Da, da nobis nunc,  
Da nunc corrigere mores,  
Virtutum carpere flores : Da, da nobis nunc.  
Da, da nobis nunc,  
Da vivere vice jocunde  
Concedere satis et unde : Da, da nobis nunc.  
Da, da nobis nunc,  
Da clero volvere libros,  
Da populo tangere ciphos : Da, da nobis nunc.  
Da, da nobis nunc,  
Da prompte fundere potum,  
Da sobrie bibere totum : Da, da nobis nunc.  
Da, da nobis nunc,  
Da Parvulo psallere laudes,  
Da procul pellere fraudes : Da, da nobis nunc.  
Da, da nobis nunc,  
Da mestis vim meritorum,  
Da lectis regna polorum : Da, da nobis nunc.  
Da, da nobis nunc."

" [10.] De radice virginis flos vernans processit  
Ab alto divini culminis—"

Fol. 71.

" [11.] Peperit virgo,<sup>1</sup> virgo regia. Mater orphanorum.  
Peperit virgo, virgo regia. Mater orphanorum—"

" [12.] Christi parentele laus Domini  
Ejusque sequele salus Domini—"

" [13.] Jubila, rutila mater Ecclesia  
Natus Dei filius suxit ubera—"

" [14.] Vale, virgo Christifera,  
Quem laudat mundi machina,  
Vera vitis fructifera,  
Vale, virgo Christifera—"

<sup>1</sup> Marginal note obliterated.

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OSSORY.

Fol. 71b.

" [15.] En Christus nascitur  
De matre virgine,  
Nova lux oritur  
In claro sydere—"

" [16.] Amoris vinculo nos Dei Filius attraxit dulciter,  
Eterno seculo de Patre genitus—"

" [17.] Alas, hou shold y syng yloren is my playng  
Hou shold y with that olde man  
To leven and [*oblit.*] my leman<sup>1</sup>  
Swettist of al thinge "

" Succurre, mater Christi,  
Menti mee tristi  
Pondere peccati  
Quo deprimitur  
Prorsus ad ima<sup>2</sup>  
Semper labitur  
Sine defensore.

" Ortus nove lucis,  
Quam nobis producis,  
Pondera peccati  
Sic extenuat :  
Lapsos penitentes  
Semper relevat,  
Te intercessore.

" Et lux illa vera  
Que caritate mera  
Suo splendore  
Nos illuminat :  
Celi divino rore  
Nos letificat  
Divino fulgore.

" Hac luce profundi  
Simus et iocundi  
Pie matris more  
Nobis impetra  
Eidem conjungi  
Virtute celi  
Superno decore. Amen."

" [18.] Harrow ieo su trahy ?  
Par fol amor de mal amy "

" Jhesu, lux vera seculi  
Tui te laudant servuli,  
Gaudent videntes angeli—"

<sup>1</sup> *leman*] *lemon*, MS.

<sup>2</sup> *ima*] *yma*, MS.

[19.] "Haue mercie on me frere : barfote that y go."

" Jam Christo moriente : luxit Ecclesia  
Sed ipso resurgente : promisit alleluia  
Vita deficiente : lapsa fragilia  
Ad vitam revertente : reflorent omnia—"

" [20.] Resurrexit Dominus  
Cantemus alleluia  
Christus Dei Filius  
Resurrexit Dominus—"

Fol. 72.

" [21.] Dire mortis datus pene  
Surrexit die tercia  
Parans pascha die cene  
Dire mortis datus pene  
Cibum turbe duodene  
Se dat manu propria—"

" [22.] So do nightyngale synge ful myrie  
Shal y neure for thyn loue lengre karie "

" Dies ista gaudii, die letitie  
De morte resurrexit Christus hodie—"

" [23.] Plangentis Christi vulnera  
Mittetur vox dulcissima  
En Christi fit memoria  
Digna dans laudum cantica  
Mutata sunt nam carmina  
Plangentis Christi vulnera—"

" [24.] Haue God day  
my leman <sup>1</sup> etc "

Fol. 72b.

" Resurgenti cum gloria  
Gaudeat Ecclesia—"

" [25.] Assunt festa paschalia  
Gaudet mater Ecclesia  
Foras procul allecia—"

" [26.] Resurrexit a mortuis  
Qui pridie decessit  
Nunciatur ab angelis—"

<sup>1</sup> leman] lemon, MS.

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THE SEE OF  
OSSORY.

Fol. 73.

" [27.] Dies venit, dies tua,  
In qua reflorent omnia,  
Hec sunt festa paschalia—"

" [28.] Haue merci of me frere "

" Maria noli flere  
Sepulchro Domini  
Surrexit enim vere  
Sepultus ab heri  
Sepulchra patuere  
Testantur angeli  
Adlatus intueri  
Quem vocas raboni  
Exnunc noli lugere  
Dic Petro Simoni  
Tot signa claruere  
Sciant discipuli  
Qui velint me videre  
Quod sint Galilei

Nam quod predixi vere  
Videbunt inibi  
Meruerunt me videre  
Cum cibo celebri  
Quod celi patuere  
Ascensu nobili  
Qui fecit te gaudere  
In vultu lugubri  
Det secum congaudere  
Post finem seculi. Amen."

" [29.] Languenti morbo funeris  
Peccati quondam veteris—"

Fol. 73b.

" [30.] Gayneth me no garlond of greene  
Bot hit ben of wýthoues ýwrought "

" Verum est quod legi satis plene  
Codice sacro volumine  
Felix est qui moritur hic bene  
Celitus pro Christi nomine—"

" [31.] Parens partum peperisti  
Jhesum Dei Filium  
Plaudens virgo, mater Christi,  
Parens partum peperisti—"

" [32.] Luce qua letatur  
Mater Ecclesia  
Deo tribuatur  
Laus et gloria



Templo Dei sistitur  
Qui fecit sidera  
Marie de qua gignitur  
Beata viscera—”

“ [33.] Rutilat Ecclesia jubilat in mente  
Rutilat, jubilat semper attente—”

“ [34.] So do nýthyngale sýng wel mury  
Shal y neure for thýn love lengre kary”

Fol. 74.

9

“ Regem adoremus superne curie,  
Matri jubilemus regine glorie,  
Virgo pura carens lapis rubigine—”

“ [35.] Gaude virgo, mater Christi,  
Parens natum genuisti  
Cum ingenti gaudio—”

“ [36.] Christe, Redemptor omnium,  
Exaudi preces supplicum  
Veni, Salvator gentium  
Christe, Redemptor omnium  
Cerne mundi naufragium  
Restaurans quod est perditum  
Christe, Redemptor omnium  
Exaudi preces supplicum.  
Partum nobis virgineum  
Christe, Redemptor omnium  
Regem celorum dominum  
Effudit virgo virginum  
Christe, Redemptor omnium  
Exaudi preces supplicum  
Qui celi tenens ambitum  
Christe, Redemptor omnium  
Solutus ante principium  
Perhenne dona gaudium  
Christe, Redemptor omnium  
Exaudi preces supplicum. Amen.  
A Deo Patre luminum<sup>1</sup>  
Christe, Redemptor omnium  
Nobis mitte Paraclitum  
Illustratorem cordium  
Christe, Redemptor omnium  
Exaudi preces supplicum  
Qui celi, etc.”

“ [37.] Miserans, miserans, parce redemptis  
Miserando judicans, parce redemptis  
Tu qui vides omnia, Tu qui vides omnia  
Sub et supra sydera, sub et supra sydera

<sup>1</sup> This and the six following lines are in writing different from that of the remainder.

ARCHIVES OF  
THE SEN OF  
OSBORY.

Fol. 74b.

Miserans, miserans, parce redemptis  
Miserando judicans, parce redemptis  
Opprimitur ecclesia, opprimitur ecclesia  
Que solet esse libera, que solet esse libera  
Miserans, miserans, parce redemptis,—ut supra.  
Crescit avaricia, crescit avaricia  
Dolus et malicia, dolus et malicia.  
Miserans, miserans, parce redemptis, etc.  
Amor et justicia, amor et justicia  
Fugati sunt de patria, fugati sunt de patria  
Miserans, miserans, parce redemptis, etc.  
Vigent ubique spolia, vigent ubique spolia  
Livor et incendia, livor et incendia  
Miserans, miserans, parce redemptis  
Qui judicabis singula, qui judicabis singula  
Reges et imperia, reges et imperia  
Miserans, miserans, parce redemptis  
Presenti de miseria, presenti de miseria  
Perduc nos ad supera, perduc nos ad supera  
Miserans, miserans, parce redemptis  
Miserando judicans, parce redemptis.”

“ [38.] Jhesu, lux vera mentium  
Serva tuum peculium—”

“ [39.] Novum lumen apparuit  
Quo vera lux clarescit  
Ad orientem patuit  
Novum lumen apparuit—”

“ [40.] Heu alas pur amour  
Qy moy myst en taunt dolour ”

“ Vale, mater, virgo pura  
Tu et tua genitura  
Tuum natum offertura  
Templo Jerosolimis—”

“ [41.] Hey how the cheualdoures wok al nyght ”

“ En parit virgo regia, en parit virgo regia  
Maria plena gracia, Maria plena gracia—”

Fol. 75.

“ [42.] Jhesu bone, Jhesu pie  
Jhesu fili flos Marie  
Circumcisis ista die  
“ Pro nobis mundi miseriis

“ Nomen tuum salutare  
Dat scriptura causam quare  
Nam tu venisti nos salvare  
“ Salus in angustiiis.

" Quem adorant Magi Reges  
Pastores pascentes greges  
Testantur scientes leges  
    " Ex libris propheticiis

" Que genuisti Salvatorem  
Ducem nostrum et pastorem  
Et a morte Redemptorem  
    " Ade peccati veteris

" Per tui nati sanctum ortum  
Duc nos ad salutis portum  
Quo nil grave nichil tortum  
    " Sed semper frui superis. Amen."

" [48.] Summe Deus clemencie,  
Mundique factor machine  
Trino sumus certamine,  
Summe Deus clemencie,  
Mundi carnis cum demone,  
Iterque nostrum fragile,  
Summe Deus clemencie,  
Mundique factor machine  
Rectorque noster aspice,  
Summe Deus clemencie,  
Vitam et mores corrige,  
Viamque pacis dirige.  
Summe Deus clemencie,  
Mundique factor machine,  
Memento nostri Domine.  
Summe Deus clemencie,  
Ut dono tue gracia  
Preserves nos a crimine.  
Summe Deus clemencie, etc.  
Vi mortis tue vivide,  
Summe Deus clemencie,  
Calcato Tartaro pede  
Hostem vicistis strenue.  
Summe Deus clemencie, etc.  
Ab hoste Tu nos protege,  
Summe Deus clemencie,  
In hora mortis suscipe,  
Et omni salva tempore.

" [44.] Scendenti supra sidera  
Locato Patris dextera  
Vincendi tanta prelia  
Scendenti supra sidera  
Laus honor sit et gloria.  
Celestia, terrestria  
Nutu fatentur subdita  
Scendenti supra sidera, etc.  
Comestione prima  
Scendenti supra sidera [etc.]  
Pandit iter per ethera

ARCHIVES OF  
THE SEE OF  
OSSORY.

Ne caro fiat dubia  
Scendenti supra sidera, etc.  
Videntes hec<sup>1</sup> magnalia  
Scendenti supra sidera [etc.]  
Tollunt ad celos lumina  
Quem cepit nubes fulgida  
Scendenti supra sidera [etc.]  
Testatur vox angelica  
Scendenti supra sidera [etc.]  
Judicaturum omnia  
Venturum hunc per aera  
Scendenti supra sidera [etc.]  
Tenens libram et pondera  
Scendenti supra sidera [etc.]  
Nobis remittat scelera  
Secum ducens ad supera. Amen."

" [45.] O Deus, Sancte Spiritus  
Summi dulcoris alitus  
Suorum amor medius  
O Deus, Sancte Spiritus  
Verus noster Paraclitus  
Et consolator intimus  
O Deus, Sancte Spiritus  
Summi dulcoris alitus  
Dextre Dei tu digitus  
O Deus, Sancte Spiritus  
Bonorum dator optimus  
Linguarum sator celitus  
O Deus, Sancte Spiritus  
Lumen infundens sensibus<sup>2</sup>  
O Deus, Sancte Spiritus  
Corda demulcens penitus  
Urens amoris fascibus  
O Deus, Sancte Spiritus  
Pacis autor egregius  
O Deus, Sancte Spiritus  
Sator, amator inclitus  
Assistensulantibus  
Qui das salutem gentibus  
O Deus, Sancte Spiritus  
Mestis solamen mentibus  
Aurem da nostris precibus  
O Deus, Sancte Spiritus  
Hostem repellas longius<sup>3</sup>  
O Deus, Sancte Spiritus  
Pacem da nostris cordibus  
Jungendo celi civibus. Amen."

Fol. 75b.

<sup>1</sup> *hec*] *hoc*, MS.

<sup>2</sup> *sensibus*] *sencibus*, MS.

<sup>3</sup> This line occurs in the church hymn—"Veni, Creator Spiritus, which also contains passages resembling some of those in the above piece.

- “ [46.] Spiritus Sancti gracia  
In quo clarescunt omnia  
Nobis assit per secula  
Dudum sacrata pectora  
Spiritus Sancti gracia  
Cor, linguam et labia  
Lingua replevit ignea  
Spiritus Sancti gracia  
In quo clarescunt omnia  
Nobis assit per secula  
Fautor Dei magnalia  
Spiritus Sancti gracia  
Linguarum cuncta genera  
Cum admiratione nimia  
Spiritus Sancti gracia  
In quo clarescunt omnia  
Nobis assit per secula  
Judea tunc incredula  
Spiritus Sancti gracia  
Discipulorum agmina  
Repleta dicit crapula  
Spiritus Sancti gracia  
In quo clarescunt omnia  
Nobis assit per secula  
Petrus virtute celica  
Spiritus Sancti gracia  
Pulsa tanta vesania  
Facta docet prophetica  
Spiritus Sancti gracia  
In quo clarescunt omnia  
Nobis assit per secula  
Qui scit et potest omnia  
Spiritus Sancti gracia  
Det nunc quieta tempora  
Et post eterna gaudia. Amen.”
- “ [47.] Canite, canite, vultu jocundo,  
Nato Domino,  
Jubilando, psallite, cantu rotundo  
Marie filio—”
- “ [48.] De sole rutilo sol alter oritur  
Sic mundo geminus sol superfundit—”
- “ [49.] Salutat angelus blande juvenculam  
Virgo post modicum offert ancillulam—”
- “ [50.] Verbum virgineum inpregnans uterum  
Jhesus vocatus est a Patre luminum—”
- “ [51.] Magi repatriant post data munera  
Non ea qua venerant via sed<sup>1</sup> altera  
Sed<sup>2</sup> Jhesus remanet pendens ad ubera  
Que profert Parvulo vir[g]o puerpera.”
- “ [52.] Maria decoquit panem salvificum  
In ventris clibano per ignem misticum—”

Fol. 76.

ARCHIVES OF  
THE SEE OF  
OBSERV.

Fol. 76b.

- " [53.] Stupens intueor ventrem Christifore  
Ventrosam feminam sed sine venere—"
- " [54.] O Dei genitrix, cui nulla similis  
Preit vel sequitur, virgo tam humilis—"
- " [55.] Conscendit Salamon ventrale ferculum  
Nec pudicicie solvit signacula—"
- " [56.] Maria virgo genuit  
Manentem supra sidera  
Mamillam ori prebuit  
Sua sugenti ubera—"

Fol. 77.

- " [57.] Laudet cor Deo deditum  
Divinum natalitium—"
- " [58.] O Verbum Dei Filius Deus origine  
Caro factum humanitus de matre virgine—"
- " [59.] Caritate nimia nos Deo diligente  
Letemur hodie  
Nato Dei Filio de matre parente  
Letemur hodie—"
- " [60.] Videbitis qualis et quantus mundus sit :  
Error in illecebris,  
Rectores habentes greges :  
Pomposi qui condunt leges,  
Ubi jam sunt ?  
Quorum gesta,  
Quia fuerunt in latebris,  
Velut<sup>1</sup> funesta ;  
Nunc perierunt in tenebris ;  
Videbitis qualis et quantus, etc.  
Multi reges ante fuerunt,  
Mundi passus qui transierunt ;  
Ubi jam sunt ?  
Carnes<sup>2</sup> et ossa putrescentes,  
In delubris :  
Spiritus et anime vultu gementes,  
Cum miseris.  
Videbitis qualis et quantus, etc.  
Consultum est qui sunt venientes ;  
Sese ipsis sint cogitantes ;  
Ubi jam sunt ?  
Ut tuti, securi atque defensi de lugubris,  
Erecti sint et congaudentes cum superis ;  
Videbitis qualis et quantus, etc."

<sup>1</sup> *Velut*] Velud, MS.

<sup>2</sup> *Carnes*] Graves, MS.

<sup>3</sup> *putrescentes*] putrescentes, MS.

## IV.

## VERSES ON THE SIBYL.

" En Fraunceys conferme par auctorite."

" Ceux sont les proverbis del Sibil."

" Chers amys receiuez de moy

Un beau present qe vous envoý

Noun pas dor ne dargent

Mais de bon enseignement

Qe en escriptur ai troue

E de Latin translatee

En comun langage por amýs

Qe de clergie nount apris

Trestut est sen e verite

Qe si trouerez romancee

Qe bien lentent e souent lit

Preu enaura e delit

Dount celui soit de dieux benet

Qe sa entent ben imet

Un sages dit en soun liure

Qe comencement de bien viure

Surtut rien est aduter

. . . <sup>1</sup> dieu e honurer

Dauid : Inicium sapiencie

Est timor Domini.

Autre dist qe vostre entente

Deves mettre en ta jouente

De totiz pechez vous retrere ;

Et bones oeures user e faire

Salamon : In bonis sit cor tuum in diebus juventutis tue et a  
carne tua amove omnem maliciam.

Non plus targez de bien ouerer

Plus surjectez pourons de comencer

Par comencer vertu crest

Et par targer retraite est

Seneca : Audendo crescit virtus, tardendo timor, ait Seneca."

\* \* \* \*

" En tiel manere la lettre lisez

Et la sentence entendre sachez

Qar nient entendre e mult lire

Ceo dist Caton fait a despire.

Cato : Legere et non intelligere est neclegere.

Por ceo voil si lesser

De plus proverbis translater

Qe ceux qe lisent cest escripte

En courtes paroles eyent delit

Ore priez pur Bohoun

Qi vous present cest lessoun

Qil par vostre oreisoun

Veigne a saluacioun.

Propheta : Qui pro aliis orat

Pro se laborat."

<sup>1</sup> MS. indistinct.

ARCHIVES OF  
THE SEE OF  
OSSORY.

## V.

## TREATISE ON AQUA VITE.

Fol. 62b.

"Aqua vite alia simplex alia composita : simplex est que sine aliena rei admixtione simpliciter de vino elicatur et dicitur aqua vini, quia sicut simpliciter elicatur, ita simpliciter sine vini vel aque admixtione debet sumi. Aqua vite simplex hoc modo debet fieri : accipe vinum electum vetus unius anni et plus, rubeum, grossum, potens, non dulce, et pone in olla et claude os olle cum bona clepsedra facta de ligno, cum panno lineo involuta, et circumcincta luto capite ne respiret. Olla tunc sit vacua ad minus usque ad medium. Ab hac olla debet exiri canalis ad aliud vas cum serpente, et illud vas aqua frigida debet impleri et frequenter renovari cum calefacta fuerit ab aqua discurrente per canalem. Collocata autem olla cum vino super ignem, distilla igne lento quousque medietatem vini impositam recipieris. Deinde ejice quod in distillatorio, id est, in olla, remansit. Quod autem distillatum est iterum repone ad distillandum, et recipe de decem partibus septem. Quod autem remanserit in distillatorio extrahe et pone ex una parte per se. Iterum quod distillatum est redistilla tercio et quarto (si vero ad summam perfectionem pervenire desideras, decies inclusive distillabis) recipiendo in qualibet distillatione decimam partem tantum. In septima tamen distillatione talis aqua perfecta dicitur, quia mirabilia operatur. In decima vero dicitur perfectissima, quia omnia nobilitate sua perficit et illustrat. Propter difficultatem tamen operis in communibus medicinis facimus aquam primo jam dictam que in tercia siquidem et in quarta distillatione, et maxime postquam quater distillata fuerit, tante virtutis est quod siquis ea uti sciverit omnibus fere passionibus, maxime frigidis, curari poterat.

"Ista aqua habet probationes sive signa cum applicatione candele accense ad cauntum inferius, quum ista distillacio ardet imperfecte; secunda, magis; tercia, perfectius; quarta, perfectissime.

"Virtutes hujus aque multe sunt : est in gloria inestimabilis, omnium medicinarum mater et domina.

"Effectus vero illius mirabiles sunt. Quorum quidam sunt in corpore humano : primo, quod omnes passionem in corpore humano ex frigidis humoribus procedentes curat, sive sint extrinsece sive intrinsece : intrinsece, per potum certe quantitatis; extrinsece,<sup>1</sup> per linicionem exteriorem. Quantitas est quantum una testa anellane capere potest, cum uno ciato boni vini albi. In linicione, quantitas ut supra mirabiliter et cito curat egritudines frigidas, et maxime egritudines cerebri nervorum et junctarum in potu sumpta et apostemate. Et nota quod si a egritudine sit frigida cum humoris vicio primito debet ejus purgacio; si non, nota quod dosis ejus in potu est a z.i. usque ad z.ii., et plus et minus secundum virtutem patientis vel bibentis.

"Speciales vero effectus illius sunt isti : valet etiam in capillo<sup>2</sup> si potatur cum vino, vel si ex ea fit capitis pinguentum.<sup>3</sup>

"Item, dolore capitis de causa frigida facta ex eo catapurgio. Valet etiam in asmate potata cum vino decoctionis [*blank*] et liquoricie.

"Item, retardat canos, conservat juventutem. Tineam, et ulcera capitis, et scabiem omnem curat si quolibet mane et sero laventur ex ea. Memoriam specialiter juvat. Valet epileptico cerebri specialiter si potetur, si

<sup>1</sup> *extrinsece*] extrinsece, MS.

<sup>2</sup> *capillo*] capilla, MS.

<sup>3</sup> Two brief and indistinct entries, relating to distillation, are inserted in the margins here.



caput ex ea ungatur, si odoret, si catapurgium inde administretur, et si distemperetur cum modica quantitate tiriace magne. Recipiantur quoque jejuno stomaco bis vel ter interpositis diebus curat perfecte.

"Item, potata in mane cum bono vino ad quantitatem duarum guttarum vel trium in uno mixto, jejuno stomaco, ita quod unum non excedat unum ciatum vel ciphum, miro modo leteficat hominem et sanat fetorem anhelitus,<sup>1</sup> qui fetor a stomaco procedit.

"Item, valet contra paralysim membrorum, cum tremuerint, bibita ut supra; ita tamen quod peciam unam panni in dicta aqua madefactam teneat super linguam, que linguam restaurat et eciam loquelam.

"Item, valet contra viciu[m] lapidis<sup>2</sup> ex humoribus frigidis gravantis, sive in renibus sive in vesica, bibita ut supra.

"Item, valet contra vicia laborum ex ventositate vel ex frigidis humoribus generata.

"Item, valet caligini oculorum, et omni debilitati visus ex operibus grossis et turbatis, et cataracte in . . .<sup>3</sup> per se sola quoque circa tempora<sup>4</sup> et supra palpebras oculorum inuncta lacrimas mirabiliter sistit, telam dissolvit, et est mirabilis cum gutte fuere oculorum; mirabiliter etiam solvit oculos exterius liniendo vel unam interius guttam in angulo oculi ponendo; valet et surditati injecta aure tepida cum lubricacione. Valet et dolori dentium, dentibus corruptis, et gingivis corrosis, bibita et linita. Valet doloribus stomaci flatuosis,<sup>5</sup> ventosis et melancholicis. Valet in opitulacione<sup>6</sup> hepatis<sup>6</sup> et splenis et renum, super omnem medicinam nervos contractos sanat mulieribus. Multum valet si cum ea laventur cautim fistulam. Noli me tangere, morbum regium, et omnes similes passiones curat, venenum expellit. Percussum a mercurio, vel a malignitate mercurii loco inuncto ista aqua et oleo benedicto curatur; ante accesionem bibita omnem quartanum per se vel adjunctis sibi debitis herbarum florum specierum et radicum proporcionibus, quam ad membra portat indigencia, cito sanat.

"Item, valet in podagra et sciatica et arthretica de causa frigida, potetur purgacione premissa.

"Item, valet sterilitati de causa frigida, potata et facto ex ea pessario.

"Et non solum hii sed<sup>7</sup> eciam multi alii sunt effectus in corpore humano.

"Effectus vero extra corpus humanum sunt quod quidcunque ex ea linitum vel madefactum fuerit flamma candele adhibita ardet et non leditur. Omnes siquidem herbarum, preter solas violas, florum, radicum ac specierum ad se trahit proprietates si per tres horas morentur in ea, si gariofilii in ea ponantur et misceantur cum vino statim erit<sup>8</sup> gariofilatum vel pingmentatum.

"Item, si salina ponatur in ea, statim trahit ad se totam substantiam, et si misceatur cum vino statim erit salinatum. Eodem modo de quolibet genere herbarum.

"Item, vinum corruptum et acetum, quoquoque modo corrupta, reparat et ad pristinum statum et bonitatem reducit, si de ea aliquid imponatur.

<sup>1</sup> *anhelitus*] *hanelitus*, M.S.

<sup>2</sup> In margin: "Aliter lapidem . . . induratum in renibus vel in vesica . . . mensibus frequenter dissolvit, ut dicitur" . . .

<sup>3</sup> Blank in MS.

<sup>4</sup> *tempora*] *tempora*, MS.

<sup>5</sup> *flatuosis*] *flauticis*, MS.

<sup>6</sup> *opitulacione*] *opilacione*, MS.

<sup>7</sup> *sed*] *set*, MS.

<sup>8</sup> *erit*] *erat*, MS.

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"Item, pisces et carnes a putrefactione conservat si in ea ponantur.

"Item, pisces et carnes qui sunt inferi putrefactionis si in ea ponantur, id quod non est putrefactum integrum conservat, et quod est putridum corrodit.

"Item, omnis vermis venenosus, utpote bufo et aranea, moriuntur ex odore ejus, nec eam appropinquare possunt.

Fol. 63b.

"Item, valet, contra puncturam et morsus serpentium, vel cujuscunque alterius vermis, si posita in loco punctato seu doloris statim curatur.

"Breviter, plus valet contra omnia venena ferienda quam tyriaca aliqua de mundo, si de ea sciant . . . uti.

"Iterum, mustum novum adeo desiccatur et superfluitates admoveat quod erit simile vino veteri. Virtutes tamen nobiliores habet in alkymia."

## VI.

### "MODUS FACIENDI NECTAR."

Fol. 78.

"Pro duabus lagenis: sumatur quarta pars lagene mellis optimi despumati et calefiat super ignem quousque sit bene callidum. Deinde de igne deposito in vase ligneo seu eneo competente ad mel viuum paulatim infundatur, quoad medietatem, et continue moveatur cum ligno, quousque vinum melli incorporetur. Deinde pulveres specierum apponantur aspersi et similiter moveantur quousque bene et perfecte inbibantur a vino et melle et resideat quousque clarificetur, et post coletur per medium [pa]nni subtilis qui vocatur streynour. Proportio pulverum erit ad premissas quantitates vini et mellis quarterium, et proportio zinziberis, piperis, longi sive brevis, sive granorum paris, gala (*oblit.*) sit equalis (*oblit.*) et ad plus trium unciarum, ita quod de singulis trium, scilicet, zinziberis uncia, piperis vel granorum paris similiter sit uncia si utrumque habeatur cinamoni sit uncia extra quod jungatur de spico ad pondus *iiiiid.* Si debeat diminui de liquoribus, diminuatur proportionaliter de pulveribus. Nota, quod virtus dispersa minor est quam unita. Si vel[is] perfecte operari et non invalide, non apponas totum quod habeatur de pulvere, sed cum cocleari tempta et proba in ore, si conveniat, et adde [*oblit.*] necessarium paulatim:

" Gynger	-	-	-	-	iii.d.
Ganygale	-	-	-	-	ii.d.
Canel	-	-	-	-	ii.d.
Clovys	-	-	-	-	ii.d.
Grendparyse	-	-	-	-	ii.d.
Spikenard	-	-	-	-	i.d.

"Pro tribus potellis cum media pinta mellis digesti."

## VII.

### ORDINANCES AND STATUTES AT DUBLIN AND KILKENNY, A.D. 1351.

Fol. 49b.

"Les ordinaunces e[t] estatutz faites par le Couseil le Roy a Dyvelyn e[t] a Kilkenny pur le commune profyt de la terre Dirlaund.

<sup>1</sup> This treatise extends in the Ms. to fol. 64b., the upper part of which contains the concluding passages of it. Regulations in reference to making Aqua vite, at Kilkenny, A.D. 1542, will be found at page 261 of the Appendix to the Second Report of this Commission, 1871.

"Nostre Seigneur le Roy Dengleterre e de Fraunce, et Seigneur Dirlaund, e son Conseil de mesme sa terre Dirlaund, desirrantz la mayntenance de lestat de Seynt Eglise et le bone gouvernement de son poeple Dirlaund, et sauve garde de sa pees et mayntenance de les bones leyes illoques, et la chastiment et punisement des malfessours et altres maluys gentz, et amendement de tortz et grevances faites a mesme son poeple sur les grevouses pleyntes des Communes de la dite terre, appeletz a son graunt Counseil tenuz a Dyvelyn le Lundy proscheyn devant la feste de Seynt Luc le Ewangelist,<sup>1</sup> et auxilz a un altre son graunt Counseil tenuz a Kilkenny le Lundy proscheyn devaunt le fest de tous Seynts,<sup>2</sup> lan du regne mesme nostre Seigneur le Roy vintisme quint, si sont ordeynez et establiez par le dit Conseil nostre Seigneur le Roy,<sup>3</sup> en noun de mesme nostre Seigneur le Roy, del assent des Prelatz, Countes et Barouns, et altres Communes de mesme la terre illoques esteaunce al honur de Dieux<sup>4</sup> et de Saint Eglise, et pur le bon gouvernement de sa dite terre Dirlaund et quiete de son poeple, et pur les leyes multz garder et les meffesours chastier com sus est dit les choses et articles sont escriptz a tenir et garder pleynement sur les peynes contenuz en icelles.

Fol. 50.

"[1.] Primerment : Qe Seynt Eglise soit franche e eýt touz ses franchises sans emblicement e touz les articles contenuz en la grande chartre le Roy soient en touz poýntz tenuz fermes e estables.

"[2.] Item : Nostre Seigneur le Roy defent desus forfeiture de vie et de membre que nul de quel estat ou condicion qil soit ne tiegne kernes, hobelours ne udives gentz en terre de pees a grever le leal poeple nostre Seigneur le Roy, mes qi les voet tenir les tiegne en la marche a ses costages propres saunz rien prendre de nul encountre sa volunte, e si nul<sup>5</sup> home de kerne ou nul altre prenge nul manere des vitailles ou altre biens de nul encontre sa volunte soit hue et crie leve sur luy e soit pris e maunde a la gaole sil se voille rendre e si non mes faire resistance a force issint qil ne voille lattachement soeffrir soit fait de ly com de robbour apert e tiel manere soit tenu pur robberie. Et en cas qi tiels meffesours defuent lattachement qe nul home les pourra prendre a donques respoýgne Seigneur ou le messour pur ly e face gree a la partie qest endamage e sil ne face gree a la partie eýt le Roy la soeut devers ly si bien pur luy mesmes come pur la partie. Et ceux qe ne levent a cel hue et crie soyent tenuz et puniz cum mayntenours des felons. Et si nul home tiegne mesne kernes, hobelours ou udifs gentz autrement qe desus nest dit eýt iugement de vie et de membre et soient ses terres e tenementz forfeitez.

"[3.] Item : Soit un crie fait qe touz iceaux qi sont udiís or e voillent prendre terres du Roy vieignent a la Justice Dirlaund ou a Tresorer le Roy prygnent terres du Roy a ferme e sils voillent prendre des altres Seigneurs vieignent a eux ou a lour Seneschals en mesme la manere.

"[4.] Item : Qe nuls marchysez ne altres tiegnent parlement ne daliance oue nul Irreys ne Engleys qe soit acontre la pees saunz conge de la Court ou en presence du Viscont nostre Seigneur le Roy ou de gardeyns de la pees si qils puissent veer qe tiel parlement ou daliance soit pur commune profit e nenný pur singuler. E qe face eýt prisement e soit reynt a la volunte le Roy.

Fol. 50b.

<sup>1</sup> October 18.<sup>2</sup> November 1.<sup>3</sup> Edward III.<sup>4</sup> *Dieux*] Deux, MS.<sup>5</sup> *si nul*] si qi nul, MS.

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"[5.] Item : Ordine est que chescun cheviteyn des lynes en chescun counte soit charge alye a nostre Seigneur le Roy, qe si ascun de son lynage, de sa adheraunce,<sup>1</sup> ou de sa retenaunce, quel il purra chastier ascun trespas ou felonie, face qe le dit cheviteyn eyt poer de prendre les meffesours e les detenir en prison taunqe ils soyent delivres par la ley, e si les dites cheviteyns les ditz meffesours ne voient prendre, mes les soeffrent aler a large, qe adonques les corps des ditz cheviteyns soyent pris par eux e detenuz en prison taunqe les cors des ditz meffesours soient renduz a la Court nostre Seigneur le Roy destre justizables."

"[6.] Item : Qe un pees e un guerre soit par tut la terre issint qe si nuls Irreys ou Engleys soit de guerre, etc.<sup>2</sup>

"[7.] Pur ceo qe divers gentz font diverses robberies et felonies en franchises et se fuent, etc.

Fol. 51.

"[8.] Pur ceo qe diverses gentz enfeffent lour enfautz ou altres estraunges des lour terres, etc.

Fol. 51b.

"[9.] En chescun countee soient ordeinetz quatre des mieltz vauetz du countee pur estre gardeyns de la pees, etc.

"[10.] Item : Ordeyne est qe les marchals del une bank e del autre e dedentz franchises ne pregnant desormes pur lour fee plus qe prignent en Engleterre, etc.

Fol. 52.

"[11.] Item : Ordeine est qe si homme face felonie et soit futif ou soit atteynt, etc.

"[12.] Item : Ordeyne est qe nule Engleys face nul manere de alliance a les Engleys ou Irreys enemys nostre Seigneur le Roy par mariage, nuture de lour enfautz, ou en ascun altre manere, si ne soit par assent de la Court le Roy. Et qe le face e de ceo soit atteynt eyt lenprisonement e outre ceo soit reynt a la volunte.

"[13.] Item : Ordeine est qe si ascun homme soit endite de mort de homme Engleys, etc.

"[14.] Item : Ordeine est qe si true ou pees soit prises par le Justice gardeyns de la pees ou Viscontes entre les Engleys e Irreys, etc.

"[15.] Item : Ordeine est qe le Ussher del Escheker ne preng desormes vint sols pur son fee, etc.

Fol. 52b.

"[16.] Item : Qe lestatut des labours<sup>3</sup> maunde Dengleterre en Irlaund soit maunde par bref a chescun Viscont, Seneschal, Meyres e Soverayns des citees e villes, qils facent proclamacion de ycel estatut e de les punir selon la fourme del dite estatut.

"[17.] Item : Ordeine est qe si debat soit mue parentre Engleys e Engleys par quey les Engles dune partie et dautre quillent a eux Engleys ou Irreys en pays illoques a demorer pur guerre e grever altres a graunt damage e destruction del lige poeple le Roy, acorde est e assentu qe nul Engleys soit si hardie de mover guerre encontre altres ne de mesner nul Engleys ne Irreys en pays desormes pur cel encheson. Et qe le face e de ceo soit atteynt eyt jugement de vie e de membre e lour terres forfeites.

<sup>1</sup> *adheraunce*] *aherdaunce*, MS.

<sup>2</sup> The enactments thus abbreviated here are those which were included verbatim in the "Statute of Kilkenny," A.D. 1367. See page 221.

<sup>3</sup> "Statute of Labourers," 25 Edward III.

"[18.] Item : Ordeine est qe si debat sourde entre Engleys e Engleys e la pees esteunte qe nul de eux face namer ne gage ne destresse sur altre prendre ne vengeance sur altre preigne par quey le poeple le Roý pourra estre trouble mes sue chescun vers altre par la commune ley. Et coment qe avant ces heures par reson de tiels debates parentre Engleys e Engleys faites eyent usez destre reule par la ley de Marche e de Breawen<sup>1</sup> quele nest pas leye ne doit estre dit leye e nenný par ley de terre, accorde est qe ley de Marche ne de Breawen soit tenue entre Engleys e Engleys mes soient reulez a la commune leye. Et qui contrevenant les ordinaunces susdites e de ceux soient atteyntez soient pris e enprisonnes e reynitz."

"[19.] Item : Ordeine est qe nul homme de qel estat ou condicion qil soit face nul manere darest, etc.

"[20.] Item : Ordeine est qe touz iceaux qui ont terres en Marche e sont reseantz en terre de pees facent reseancie en lour terres en Marche ou mettent altres suffisantz en lour lue en ayde e mayntenaunce des March[ises], e qe ne le facent soient les issues de lour terres en terre de pees prises par les ministres le Roý illoques e despenduz en la Marche pur la salvacione de la dit Marche solom la quantite des terres qil ad en Marche.

"[21.] Item : Ordeine est qe touz iceaux qe ont terres ou tenementz en Irlaund et soient reseantz en Engleterre, qils facent contribucion pur defense de lour terres illoques si avant com ceaux reseantz dedentz la dite terre Dirlaund y fount. Et en cas qe mesmes ceaux par aillour demoerrantz eyent terres en Marche qils facent assier e garder lour terres avantdites convenablement par quey les Marchises puissent le Fol. 53. moeuth estre enfortez solom la quantite de ycelles et qui ne le face soient les issues de lour terres despenduz en la Marche en la fourme susdite com plus pleynement est maunde par bref hors Dengleterre en Irlaunde.

"[22.] Item : Ordeine est qe nul Engleys commune meffesour ne commune robeour ne barettour ne soit maintenuz par le Court de Roý, etc.

"[23.] Item : Qe cum sommons del Eschequer nostre Seignur le Roý de Dyvelýn (*sic*) vieignent as divers Viscountes e Seneschals des franchises, etc.

"[24.] Item : Pur ceo qe les fees des Viscontes si sount ordeines par Fol. 53b. estatut e les Viscontes en la terre Dirlande se preignent en lour tourns de chescun baronie, etc.

"[25.] Item : Accorde est e assentu qe nul Viscont desormes se tienge plee devaunt ly en countee de vedetenamie<sup>2</sup> encountre la commune ley nostre Seigneur le Roý entreesteaunt nul usage erroignes desresonables e desacordauns a la leye les queux avaient ces heures ount este malment usez et sil face e de ceo soit atteynt eyt lenprisonement e outre ceo soyt reynt a la volunte le Roý. Et qe nul Seriaunt pur nul gage de vedetenamie<sup>2</sup> en tiel cas ne preinge nul fee"—

<sup>1</sup> Brehon.

<sup>2</sup> "Vetitum namium"—"Withernam."

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## VIII.

ORDINANCE AGAINST ASSOCIATING WITH THE IRISH, USING THEIR  
LANGUAGE, OR SENDING CHILDREN TO BE NURSED AMONG THEM,  
A.D. 1359-60.

Fol. 55.

"Edwardus, Dei gracia Rex Anglie et Francie et Dominus Hibernie, Vicecomiti Croce Kilkennie et Senescallo Libertatis Kilkennie salutem: Quia plures homines de nacione Anglicana, tam in Marchiis terre nostre Hibernie quam alibi ibidem, jam de novo devenerunt de condicione hominum Hibernicorum nobis legibusque nostris et consuetudinibus in Curia nostra inter Anglicos hucusque usitatis parere vel subjacere nolentes, nec rectum nec justiciam de actionibus et querelis suis in dicta Curia nostra proseguere aut petere aut aliquibus aliis juxta easdem leges et consuetudines de hujusmodi actionibus pro voluntate sua respondere, immo quod deterius est predas nomine vadiorum sive districtionum modo guerrino ab illis contra quos actiones habere intendunt sepe et sepius capiunt, unde commociones guerrarum sive discordie oriuntur et parlamenta ad modum Hibernicorum cum aliis Anglicis de consimilibus actionibus et querelis tenent et indies tenere non desinunt juxta legem Marchie, ac si una pars querelancium sive per viam actionis seu defensionis existens totaliter Hibernica fuisset in nostri et jurisdictionis nostre regie derogacionem, et legum et consuetudinum predictarum subversionem, et nichilominus homines de genere Anglicano in dicta terra idioma Hibernicum erudiunt et loquuntur et infantes suos inter Hibernicos nutriendos, ut lingua Hibernicana utantur, emittunt<sup>1</sup> et locantur, ita quod per hujus idioma populus noster campestris de genere Anglicano pro majori parte Hibernicus devenit, in domini nostri ejusdem terre diminucionem manifestam:

"Nos, hujusmodi dampnis et incommodis precavere volentes, ut teneamus, de assensu Justiciarii nostri Hibernie et aliorum de Consilio nostro, ordinavimus quod nullus Anglicus, cujuscunque status seu condicionis fuerit, sive in Marchia sive alibi existens, hujusmodi condiciones Hibernicanas, aut leges et consuetudines Marchie aut parlamenta cum aliis Anglicis amodo teneat vel exerceat, in derogacionem legum et cognicionum placitorum nostrorum, sectas hujusmodi predictas capiat, sub forisfactura vite, membrorum et omnium aliorum que nobis forisfacere poterint, et hoc tantummodo excepto quod domini feodorum in feodis suis pro consuetudinibus et serviciis sibi debitis districtiones capere possint prout ante hec tempora solebant.

"Ordinavimus insuper quod nullus de genere Anglicano, sub pena perdendi libertatem Anglicanam, post festum Nativitatis Sancti Johannis Baptiste proximo futurum, idioma Hibernicum cum aliis Anglicis loquatur, sed interim quilibet Anglicus lingua Anglicana erudiat, nec infantes suos inter Hibernicos habeat nutriendos post festum predictum sub pena predicta. Tibi precipimus quod infra ballivam tuam, diebus et locis quibus melius expedire videris, publice ex parte nostra ordinationem predictam proclamari et eam teneri facias in forma predicta.

"Teste, Jacobo le Botiller, Comite Dormond, Justiciario nostro Hibernie. Apud Dublin tercio die Februarii, anno regni nostri Anglie tricesimo quarto; regni vero nostri Francie xxi°.

<sup>1</sup> Ms. indistinct.

"Breve regium, sub forisfactione membrorum et bonorum, ne quis Anglicus infra dominium Hibernie preda nomine vadium ac parlamenta ad modum Hibernicorum cum aliis Anglicis teneant, aut infantes suos nutriendos inter Hibernicos mittant, vel lingua Hibernicana inter Anglicos utantur, a tempore prohibitionis brevis regii supradicti."

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## IX.

AGREEMENT WITH ABBEY OF ST. AUGUSTIN, BRISTOL, IN RELATION  
TO CHURCH OF DYSSERT, A.D. 1375-6.

"Memorandum quod primo die Januarii, anno Domini millesimo CCC.LXX. quinto, conventum erat inter Decanum et Capitulum ecclesie cathedralis Ossorie et procuratorem Abbatis et Conventus Sancti Augustini, juxta Bristoll, ecclesie de Dysert O Lostan, rectores, ex parte una, et dominum Robertum Edmys, vicarium, ibidem, ex parte altera, quod dicti rectores dant et concedunt dicto vicario terram sanctuarii ibidem cum omnibus alteragiis ad ipsos spectantibus integris, sub tali conditione quod dictus vicarius supportabit omnia onera ordinaria et extraordinaria ad dictam ecclesiam spectancia, sine contradictione vel calumpnia hinc inde ad totam vitam dicti vicarii. [Fol. 5a.] Fol. 5.

## X.

ORDINANCE AGAINST ABSENTEES FROM IRELAND [A.D. 1380].

"[Pur ceo] <sup>1</sup> que nostre Seigneur le Roi ad entenduz par la certification de sez foialx liges de la terre Dirland, prelates, nobles, et communes, que ladite terre ad este et est molt endamagez et enpauvrez pur my ceo que plusors des liges nostre dit Seigneur le Roi eiantz terres, rentz, benefices, offices, et autres possessions en la dite terre ne sont pas demorantz illoques, einz se absentent et sont hors de la dicte terre preignantz et traiantz devers eux hors de mesme la terre lez profités et revenuz des ditz terres, rentz, possessions, benefices, offices, et lez uns lessantz les chasteux et forteres a eux appartenantz en lez ditez parties aler a ruine et estre saunz garde, ordinaunce, et gouvernement, de jor en autre, et lez ditz foialx le plus anientez davoit et de pussantz a resister a lor malice siqe la dite terre est en point destre perduz en deseritoun nostre dit Seigneur le Roi et de sa Corone Dengleterre si sur ceo ne soit ordeigne de hastive remedie. Fol. 56b.

"Ordeigne est par nostre dit Seigneur le Roi, del avise et assent des seigneurs et nobles de son roialme esteantz en ceo Parlement, que touz maneres des gentz de quele estate ou condicion qils soient eiant illoques terres, rentz, benefices et offices et autres possessions quelconques, se traient devers ladite terre Dirland parentre cy et la nativite de Seynt Johan proschein veignant et delors soient resceantz et demorantz illoques en eide et afforcement des ditz foialx liges a garder et defender la dicte terre encountre les ditz Irrois rebeux, et que touz ceux quount chasteux ou forteres en mesme la terre facent reparer et tenir en estate con[ven]able et mettent bone et seure garde pur le salvacion des mesmes les chasteux et forteres sur le peril qappent. Et en cas que ascuns dyceux qont terres, offices, rentz, benefices, ou autres possessions en la

<sup>1</sup> MS. indistinct.

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Fol. 57.

dicte terre, soient par resonable cause absenz hors de mesme la terre apres la dicte feste adonques pur le temps de lour absence soient tenuz denvoier et trover illoques gentz defensables en lour lieux en defence de mesme la terre solonqe ceo qe la necessite requera, eiant regarde a la quantite et a la valu de mesme les terres, rentz, offices et autres possessions, et s'ils ne facent par soiens les deux parties des profitz de les terres, rentz, offices, et possessions avant ditz levez et convertiz a la garde et defense de mesme la terre par lavise des Justices et Gouvernors de mesmes la terre qe pur le temps serount. Horspris toutfoitz que les benefices des ceux qui sount en le service du Roi, ou estudiant en universitez, ou hors de mesme la terre par resonable cause, de la licence de Roi desouz son graunt seal en Engleterre, ne sera pris nappliez a les ditz garde et defence forsque taunt soulement la tiertz partie de la valu dyceux apres les ordinaires et necessaires charges rebatuz solonque la certificacion de lour ordinaires."

## XI.

### COMPACT RELATIVE TO VESTMENTS [A.D. 1388].

Fol. 77b.

"Memorandum quod Capitulum ecclesie Sancti Cannici, Kilkennie, concessit Michaeli,<sup>1</sup> Decano ejusdem, et deliberavit unum par vestimentorum ad usum suum sub ista condicione quod si illud par vestimentorum aliquo casu fortuito sit perditum vel alienatum ita quod ad manus Capituli non deveniat in futurum, tunc, dictus Michael, Decanus, obligat se et omnia bona sua ad solvendum et realiter tradendum quadraginta solidos sterlingorum dicto Capitulo solvendorum, etc."

## XII.

### RIGHTS OF BISHOPS OF OSSORY IN THE IRISH TOWN, KILKENNY, A.D. 1372-98.

Fol. 5.

"[1.] Nota contra Superiorem et Communitatem ville Kylkennie pro Episcopo Ossoriensi :<sup>2</sup>

"Edwardus, etc. Superiori et Preposito et Communitati ville Kykenie, salutem : Monstravit nobis Venerabilis Pater, A.<sup>3</sup> Episcopus Ossoriensis, licet ut cum ipse omnia temporalia sua teneat de nobis in capite ipse quoddam mercatum in villa sua del Irystown, juxta Kykeniam, que (sic) parcella dictorum temporalium, viz. die Mercurii singulis septimanis obtineat, et licet idem Episcopus, et predecessores sui, nuper Episcopi loci predicti, mercatum suum predictum, ut predictum est, et libertatem suam infra Croceam Episcopatus predicti, libere et absque custumis aliquibus, pro muragio dicte ville de Kykenia, de rebus venalibus ad dictum mercatum, vel infra libertatem predictam venientibus, absque assensu et voluntate dicti Episcopi et predecessorum suorum solvendis, a tempore foundationis ipsius ecclesie Sancti Kanici de Kykenia habere consueverunt. Vos tamen quasdam literas nostras

<sup>1</sup> Michael Delafield, Rector of Callan. He exchanged his benefice, in 1382, for the Deanery of Ossory. After having obtained the latter, he was licensed to study at Oxford.

<sup>2</sup> This entry is ascribed erroneously in the MS. to the thirty-eighth year of Edward III., A.D. 1363-5, instead of to the forty-seventh year of that King.

<sup>3</sup> Alexander Balscot, Bishop of Ossory, A.D. 1371-86.



patentes ad certas custumas pro muragio dicte ville de Kylkenia, de rebus venalibus ad eandem villam de Kylkenia, et infra Croceam predictam venientibus percipiendas, absque consensu sive notificatione dicti Episcopi, impetrastis et custumas hujusmodi de rebus venalibus ad dictum mercatum et infra libertatem ipsius Episcopi predictam venientibus, pretextu dictarum literarumstrarum minus juste percepistis, et indies percipere non desistitis, in ipsius Episcopi ac ecclesie sue predictae grave prejudicium, dictique mercati, ac libertatis sue predictae perturbationem et retractationem manifestas, ut dicitur. Super quo nobis supplicavit sibi remedium adhibere. Et quia per quandam inquisitionem coram Fratre Willelmo Tany,<sup>1</sup> Priore Hospitalis Sancti Johannis Jerusalem in Ibernia, Cancellario nostro ibidem, captam, et in Cancellaria nostra Iberniae remanentem, est compertum quod dicta villa del Irystown est parcella dictorum temporalium, et quod idem Episcopus et predecessores sui predicti mercatum predictum unacum libertate predicta in forma predicta habere consueverunt. Nolentes perinde quod prefato Episcopo in ea parte, pretextu dictarum literarumstrarum aliquialiter prejudicetur, vobis et cuilibet vestrorum mandamus, quod pretextu dictarum literarumstrarum nostrarum de dicta villa del Irystown mercato aut libertate predictis, vel de custumis aliquibus, pro muragio dicte ville de Kylkenia, de rebus venalibus ad dictum mercatum vel infra libertatem predictam venientibus, absque assensu et voluntate ipsius Episcopi de cetero capiendis, vos aut aliquem vestrorum nullatenus intromittatis, sub periculo incumbenti.

Teste, prefato Justiciario apud Dubliniam, xxvii die Januarii [A.D. 1372-4].—Per petitionem de Parlamento.”

[2.] “ Extenda de Irestoun, juxta Kilkenniam, parcella temporalium Fol. 77b.  
episcopatus Ossoriensis, coram N. Macclesfelde, Locum tenente Thesaurarii Hibernie, Johanne Lombard, et Thoma Taillour, Commissionariis Domini Regis, ad omnia terras et tenementa, in manu Domini Regis in comitatu Kylkennie existentia, extendenda assignatis, apud Kylkenniam, die Veneris proximo post festum Decollationis S. Johannis Baptiste, anno regni Regis Ricardi secundi xxii, per subscriptos, videlicet :

Hug: Sauage, Galf: Smyth, Joh: Bygdon, Joh: Coterell, Adam Sprot, Hen: Deverous, Ric: Langdon, Tho: Balý, Will: Costard, Joh: Monnethan, Ran: Purcell, Hen: Serman, Robert Ragyde, Simon Ragyde, Thom: Cokeston, Joh: Pryke, David . . . .

Qui jurati dicunt super sacramentum suum : Quod est unum manerium juxta Kylkenniam parcella temporalium episcopatus Ossoriensis, quod nominatur Oldcourt, quod nichil valet per annum, quia humo prostratur. Et dicunt quod est ibidem dimidia carucata terrarum dominicalium de quibus xv acre terre culte quarum quelibet acra valet per annum vi.d. et residuum jacet vastum et nil valet per annum propter defectum tenentium. Item, dicunt quod sunt duo cotagia ibidem, parcella glebe ibidem, valent per annum vii.s. Item, dicunt quod redditus burgagii ibidem valent per annum ad presens ix.li. et reddere solebant episcopis, qui pro tempore erant, xi.li. v.s. i.d. ob. Item, dicunt quod tolmeta ibidem valent per annum (oblit.) Item, dicunt quod (oblit.) curie et hundredi valent per annum ii.s. Item, dicunt quod sunt duo molendina ibidem (oblit.) et valent per annum ultra reparationes xl. s. Et dicunt quod est unum mesuagium (oblit.) temporalium predictorum, in manu Domini Regis in quo manet” (oblit.)

<sup>1</sup> William Tany, Chancellor, Ireland, 1372-4.

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## XIII.

STATEMENT BY OLIVER CANTWELL, BISHOP OF OSSORY, A.D. 1510.

Fol. 57.

"Universis alme Matris Ecclesie filiis presentem continentiam literarum visuris, lecturis, vel audituris, ac illi vel illis, quem sive quos infrascriptum tangit negotium vel tangere poterit quomodolibet in futurum, quibuscunque censeantur nominibus, Oliverus,<sup>1</sup> permissione Divina, Episcopus Ossoriensis, salutem et presentibus fidem adhibere indubiam<sup>2</sup>. Quum ea que in judiciis vel extra peraguntur oblivionis vicio obvelantur nisi per scripture memoriam que contrahentium pariter et contendentium vota in evum conservata roboris acceperint firmitatem, ad vestre universitatis noticiam deduci volumus, et deducimus per presentes, qualiter comparente coram nobis in ecclesia cathedrali Ossoriensi, diebus et anno infrascriptis, probo viro, Willelmo Asbolde, nostro et ville nostre Hibernicane pro tunc Preposito, testes quamplures se decuit senes valetudinarios et debilitate confectos habuisse, timens non immerito mortem eorundem et diutinam absentiam, nostrum in hac parte officium rogavit, quatenus eosdem testes recipere et in forma juris ad eternam et perpetuam rei memoriam, ne copia sibi deesse probationis in posterum valeat, examinare et publicare dignaremur.

"Nos vero intelligentes quod juste petentibus non sit denegandus assensus, eosdem testes decrevimus fore examinandos hujusmodi super articulo, videlicet, quod subditi et tenentes nostre ville de Irystun, per tempora quorum in contrarium memoria non existit, consueverunt inercimonia quecunque vendere et commutare, carnes in eorum macellis lacerare et extimare publice, absque alicujus contradictione Superioris ville Kilkenniae, sine customagio vel muragio quibuscunque.

"Willelmus Herforth, primus testis, edicto citatorii generalis omnium et singulorum hujusmodi examinatione interesse pretendentium premissis, tactis per eum sacrosanctis Dei Evangelii in animam suam, etatis lxxx annorum, deponit articulum continere veritatem, quia temporibus Reverendorum Episcoporum<sup>3</sup> bone memorie Thome Barre, David Hacket, Johannis Hedyan et Oliveri, moderni, continuum moram fecit in villa Hibernicorum; et vidit Mauricium Staffarde, Johannem Flemyng, Thomam Asbold, mercatores, mercimonia publice, ut in articulo, necnon et carnifices, videlicet, Johannem Monsell, deinde Thomam Kelly, cum aliis diversis, carnes in macilla Hibernicane ville respective vendentes et lacerantes, sine alicujus Superioris ville Kilkennie pro tempore existentis contradictione aut impedimento, usque ad presentem controversiam, sine customagio vel muragiis. Mauricius Ofogirty, secundus testis, similiter juratus, concordat predictum articulum continere veritatem; qui vidit Thomam Kelly, David Oclowan, Tadeum Ohwolaghan et alios carnifices. Item, vidit Thomam Asbold et Thomam Langtun, mercatores, in eorum opellis respective, ut predictur, carnes lacerantes, et mercimonia (sic) publice, sine alicujus contradictione, sive muragio vel customagio. Robertus Brown similiter examinatus concordat cum preconteste in omnibus premissis, quia in villa Hibernicana manens sic vidit et audivit. Dermicius Obrenane, clericus, etatis lx annorum, juratus ut supra, concordat cum precontestibus in omnibus premissis. Receptione eorum facta xx die Octobris, anno Domini millesimo

<sup>1</sup> Oliver Cantwell, Bishop of Ossory, 1487-1526-7.

<sup>2</sup> Ms. indistinct.

<sup>3</sup> Bishops of Ossory: Thomas Barry, 1428-59; David Hacket, 1460-78; John O'Hedian, 1479-86.

cccc decimo. Receptions quorum aliorum testium in Sabbatum proximum post festum Symonis et Jude. Nicholas Whyt, Rector Callane, similiter juratus deponit, quod a tempore quo incepit esse cum David Hackyt supradicto usque ad tempus presentis controversie sic vidit premissa publice et pacifice. Dominus Dermicius Oclery, Vicarius de Callan, concordat cum eodem quoad carnifices et mercatores sine aliquo impedimento. Alsona Hunth deponit, quod fuit servitrix in domo et curia Episcopi Barry, cum sua matre, tunc domestica Episcopi, et exinde non vidit alicujus contradictionem premissis. Johanna Connowe<sup>1</sup>—”

ARCHIVES OF  
THE BISHOP OF  
OSSELY.

ARCHIVES OF THE MUNICIPAL CORPORATION OF  
WATERFORD. BY JOHN T. GILBERT.

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THE most remarkable of these documents is an ancient illustrated charter roll, the only one of its age and class known to be extant in connexion with Ireland. The body of this roll, containing the written matter, consists of several pieces of vellum attached continuously to each other, and forming a whole of considerable length. The contents are transcripts, made apparently towards 1390, of Latin charters and legal instruments relative to the rights and privileges of the citizens of Waterford. The writing is much damaged and partly illegible. At the head is a coloured drawing, intended, no doubt, to represent the port of Waterford and the delivery of the keys of that city to Henry II. This drawing is greatly decayed, and under parts of it are discernible vestiges of writing, over which the colours were laid. From the foot of the roll some membranes seem to be missing. To each side of the body of the roll there would appear to have been originally attached a continuous series of pieces of vellum, many of which remain. These contain coloured drawings of full length figures, mostly of about ten inches in height, but without any names. The figure at head on the right side is in armour and probably designed for Earl Richard Fitz-Gislebert, under whose leading Waterford was captured by the Anglo-Norman adventurers. Abbreviated titles of documents on the roll appear in connexion with most of the other figures, which were evidently intended as representations of monarchs of England and their chief officials associated with charters and instruments issued to Waterford, commencing with King John and terminating with Edward III.<sup>2</sup> John, in white doublet and hose, holds a falcon; the feet of one of the kings rest on a recumbent dog; another king, probably Edward I., is on horseback; Edward III. is represented, with crown and sceptre adorned with fleur-de-lis, seated between two towers. Henri de Loundres, Archbishop of Dublin, Justiciary of Ireland in the early part of the thirteenth century, is depicted in pontifical vestments, with mitre, crozier, and gloves. Of the other officials here represented two may be assumed to be Sir John Moriz and Sir William de Windsor, deputy governors in Ireland for Edward III. In one of the lateral pieces, divided into four compartments, the Mayors of Dublin, Waterford,

<sup>1</sup> The remainder of this document is not in the Ms.

<sup>2</sup> John's charter to Waterford was dated June 8, 1205. Charters to Waterford were issued as follows by his successors: Henry III., 1232 and 1268; Edward I., 1275 and 1277; Edward II., 1310; Edward III., 1356, 1363, 1371, 1374, 1375, and 1377.

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Cork, and Limerick are represented, on a scale smaller than that of the other figures. The Mayors are attired in blue and red. Most of the figures on the roll are well drawn and coloured, as well as ornamented with gilding.<sup>1</sup> They are, however, in general, much decayed and obliterated in parts. No information is accessible in relation to the circumstances under which this roll was executed. It may have been produced in connexion with the visit of Richard II. to Waterford in 1394. From him the city had received valuable grants in 1380, 1381, 1385, and 1388. None of these appear upon this roll, but they may have been entered on the membranes now missing, and, with any ornamentation the document contained in honour of Richard, they may have been removed after his deposition from the throne of England in 1399. The execution of the roll must, in its day, have been attended with much expense, and may have been the work of artists of the class of those who in the fourteenth century painted the subjects on glass in Kilkenny Cathedral, the beauty of which has been highly praised.

The volume styled the "Great Parchment Book" may, from the extent and character of its contents, be regarded as the most important of the archives of the city of Waterford, in an historical point of view. It consists of upwards of two hundred leaves of parchment, fifteen and a half inches in length and eleven inches in breadth. The binding is of oaken boards, covered with dark coloured leather. The writing in the book is of various periods, commencing apparently towards the close of the fifteenth and terminating about the middle of the seventeenth century. The only ornamentation in the early part of the manuscript consists of some inartistically rubricated initial letters and colophons. In the subsequent portion of the volume the headings of the pages containing the annual records of the names of the Mayors and bailiffs or sheriffs are in large black letters, occasionally with ornamental initials. The most elaborate of these pages, which is that for the year 1566, has been reproduced among the "Facsimiles of the National Manuscripts of Ireland."<sup>2</sup> It contains, in combination with its large initial letter in the word "Tempore," a small sketch of buildings at Waterford with the city's ancient Irish name "Portlairge;" also a galley, and marginal representations of the day of judgment, and the Blessed Virgin. A page, now imperfect, with entries for 1636 contains the remnants of some gilt initial letters and numerals. Rubricated initials appear on the pages for the years 1634, 1635, and 1637. Some entire leaves and portions of others are missing from the volume. All the contents of the book do not proceed in regular order, and they may be divided under the following heads:—

- I. Charters, petitions, returns of inquisitions and instruments relating to the rights and properties of the city of Waterford.
- II. Form for election of Mayor, with oaths for him and other officials.
- III. Tables of customs levied at Waterford, fees and amercements in city courts there, and the assize of bread.
- IV. Acts made in the civic assemblies from the fourteenth century to the reign of Henry VIII.
- V. Proceedings of the Waterford Corporation from the latter period to the year 1649, including admissions of freemen, and acts for regulating the public affairs of the city and citizens.

<sup>1</sup> Reproductions of figures from this roll appear on plates XXIV.-V. in Appendix to "Facsimiles of National Manuscripts of Ireland," Part IV. 2, London, 1884.

<sup>2</sup> Part IV. 2, Appendix; Plate XXVI., London, 1884.

The nature of the duties which the chief officials discharged is exhibited in the document printed in No. I. of our Appendix, and entitled "the order and manner of the election of Mayor and bailiffs and other officers and of their solemn oaths, with other many usages and consuetudes accustomed."

The elections of the Mayor and officials were made annually. The members of the Council, having attended at a mass of the Holy Ghost, solemnly sung, proceeded from church to the election at the Guildhall. The authority of the Mayor was sustained by various enactments, under one of which a fine of one hundred pounds or loss of the right hand was decreed against any person who shed his blood. An act of 1477-8 alludes to the great danger and peril in which the city stood "daily as well by the King's English rebels as his Irish enemies, environed round about." All the gates on the quays of the city at the same period were, by law, to be made fast at six o'clock on every evening from Michaelmas to Easter, and at nine o'clock during the remainder of the year, not to be opened till daybreak without licence from the Mayor.

The fees and amercements in the city courts and the murage and customs levied anciently at Waterford appear in the tables in Appendix Nos. II. and III. The particulars of the customs in the latter are stated in the manuscript to have been taken from ancient rolls<sup>1</sup> of Waterford, copied in 1474-76. The trade beyond Ireland, England, and Wales, appears to have been mainly with Flanders, Spain, and Portugal. "Other countries beyond sea" are also referred to. In Ireland the chief traffic of the Waterford citizens was with Callan, Carlow, Cashel, Clonmel, Fethard, Kilkenny, Kinsale, Ross, Wexford, and Youghal.

The principal commodities named are cloth, fish, frises, hides, iron malt, mantles, pitch, resin, saffron, salt, silk, timber, wheat, wines, and wool. The "Assize of bread" is given in Appendix IV.

An Act of 1467 decreed that no alien born out of the dominions of the King of England should be received into the franchise of the city of Waterford unless he were a citizen's child born by chance "in any strange land." Every citizen and freeman "be he never so simple" was bound to have armour and sufficient "hand-weapons."

The earliest acts of the Waterford Corporation recorded in this volume are those from 1365-7 to 1524-5. They are in English of a somewhat peculiar character, and are comprised in two sets styled "Liber primus" and "Liber secundus," both of which will be found in our Appendix, Nos. V. and VI. A further collection subsequently made of "ancient customs" is given in Appendix VII.

After the collection of acts terminating in 1524-5, the manuscript contains a series of annual records commencing in 1526-7, of the proceedings of the Corporation in the elections of Mayors and officials, the admission of freemen, and the enactment of regulations. This series, in which there are some chasms, is carried down to the year 1649. The initial portions of the entries containing the names of the officials and of the persons admitted to the freedom of the city are in Latin, while the acts are in English. The early acts and ordinances in the two books above-mentioned contain many matters illustrative of the internal and external relations of the Waterford community from the

<sup>1</sup> A document of 1483 in the MS. is stated to have been copied from an ancient memorandum book of the city of Waterford, called the "Common paper." See p. 272. The "Old redd register book of the city of Waterford" is referred to in an entry under the year 1599. MS. fol. 148b. See also Appendix IV., p. 291.

fourteenth to the sixteenth century. Some of the enactments by the citizens of Waterford exhibit the position which they maintained towards the native Irish people.

Under an act of 1384 a penalty was incurred by any dweller in Waterford who cursed, defamed, or "despised" a citizen by calling him "Irishman." Men or apprentices of Irish blood were not admissible to the franchise of the city until they had received a grant of liberty from the King of England and undertook to be of English "array, habit, and apparel." Pleading in the Irish tongue in the city court was prohibited, unless in exceptional cases. No child of any gentleman of "Irish rule" of the adjacent counties was to be fostered or kept in sojourn in the city unless the custodian found sufficient surety to indemnify the citizens against loss from "all men" who might sue or "make any challenge for" such child whatever fortune of him," while in the city. Intercourse was prohibited with any sept at war with the city. The Mayor and bailiffs were bound to seek redress from the "captains" or chiefs of districts in Kilkenny, Tipperary, and Wexford, in which damage was done to the person or goods of "any man, woman, or child of Waterford."

Foreigners dwelling in the city were obliged to wear gowns and to "go in English array." The alienation of cross-bows, arrows, and guns, great or small, was prohibited by act of 1480-1. By an enactment of 1484-5, fines were decreed against breakers of glass windows in churches or chapels. Freemen not maintaining households in the city were to be amerced annually till they should "be married and keep hospitality." Regulations were also made in relation to the old and laudable custom of the city of holding "drinkings" on the six Sundays of Lent, and which appear to have been restricted to members of the municipal council. The arrangements in connexion with the establishment of guilds are exhibited in enactments<sup>1</sup> of the fifteenth century, while those of later date appear in the charter printed in Appendix X.

In the entries of the affairs of the city in the sixteenth century<sup>2</sup> are included notices of the arrival there of officials and soldiery from England

<sup>1</sup> A.D. 1485-6, Nos. CXVI.-XVII., in Appendix V., pp. 319-20.

<sup>2</sup> Stanishurst, in the sixteenth century, wrote as follows in relation to Waterford:—

"This cite is properlie builded and verie well compact, somewhat close by reason of their thicke buildings and narrow streets. The haven is passing good by which the citizens through the intercourse of foren traffike in short space attaine to abundance of wealth. The soile about it is not all of the best, by reason of which the aire is not verie subtile, yea nathelasse the sharpnesse of their wittes seemeth to be nothing rebated or duld by reason of the grossenesse of the aire. For in good sooth the townesmen, and namelie students, are pregnant in conceiving, quicke in taking and sure in keeping. The citizens are very heedie and warie in all their publike affaires, slow in the determining of matters of weight, loving to looke yer they leape. In choosing their magistrate they respect not oulie his riches, but also they weigh his experience. And therefore they elect for their Maior neither a rich man that is young nor an old man that is poore. They are cheerful in the interteinment of strangers, hartie one to another, nothing given to factions. They love no idle bench-whistlers, nor luskish faitors: for young and old are wholie addicted to thriving, the men commonlie to traffike, the women to spinning and carding. As they distill the best aqua vite, so they spin the choicest rug in Ireland. A friend of mine being of late demurrant in London, and the weather by reason of an harvi hoare frost being somewhat nipping, repaired to Paris garden, clad in one of these Waterford rugs. The mastifs had no sooner espied him, but deeming he had bene a beare, would faine have baited him. And were it not that the dogs were partly muzzled and partly chained, he doubted not but that he should have been well tugd in this Irish rug; whereupon he solemnlie vowed never to see beare baiting in anie such weed." "The second volume of Chronicles collected by Raphaell Holinshed." London, 1586, p. 24.

for service in Ireland. Details are also given of the assistance which Waterford afforded to the administrators of the government of Queen Elizabeth in wars with the Irish. An enactment made at Waterford in 1599 relative to attire will be found in Appendix VIII.

The charters granted to Waterford by Elizabeth in 1574 and 1582-3 are entered in full in the manuscript, which does not, however, contain a copy of that from Charles I. in 1626. The preamble to the latter set forth that the city of Waterford was an ancient city, that its inhabitants and citizens from its first foundation and the reduction of the kingdom of Ireland to the obedience of the kings of England and continuously from that time, had been of civil conversation, endowed with good learning and generous manners, and apt and diligently intent upon the art of merchandize, that they were sprung from English stocks and to that day retained English surnames; that the city in past times had been honored with the personal residence of Henry II. and John, kings of England, and that for faithful services, often happily done to the kings and their crowns, they in some old charters granted among other ensigns of honour that the city should be called "Urbs intacta" and "Camera Regis."<sup>1</sup> The original of this charter, in Latin, is preserved among the Waterford archives.

The "Parchment Book" does not contain any documents of the Ostmen or descendants of the early Norse settlers in Waterford. Some of them aided Henry II. on his arrival there; and the assertion of their rights in the early part of the fourteenth century formed the subject of legal proceedings, the record of which is still extant. It is to be observed that important events which occurred at Waterford during the period over which the contents of the volume extend are unnoticed in the "Parchment Book." It contains no record of the expeditions made to Waterford by Richard II. in 1394 and 1399. The second of these formed portion of the subject of a contemporary French poem, which includes among its illustrations a drawing elegantly colored and gilt, in which is depicted the arrival of ships at Waterford with provisions for the royal army.<sup>2</sup> The "Parchment Book" furnishes no details of the energetic measures taken by the citizens in the reign of Henry VII. against the adherents of Lambert Simnel and Perkin Warbeck, whence the designation of "Urbs intacta" was applied to Waterford. There is not any notice in the volume as to the circumstances under which Waterford was occupied in 1641 by the Irish Confederates, of which some vivid particulars were given in the letters<sup>3</sup> written on the spot by Mrs. Briver, wife of the Mayor. In the subsequent years till 1649, Waterford was under the rule of the Irish Confederation, but this manuscript during that period furnishes little more than the names of some of the civic officials, and of

<sup>1</sup> "Animo nostro recalescentes quod civitas predicta est antiqua civitas, et quod inhabitantes et cives civitatis predictae a prima fundatione ejusdem et subjugationis predicti regni Hibernie in fidem regum Anglie, et continuo abinde, fuerunt civilis conversationis, bonis literis, moribusque generosis imbuti, et ad artem mercatoriam apti et diuiter intenti; et quod a familiis et stirpibus Anglicanis orti sunt et cognomina Anglicana in hunc diem retineant; quodque civitas hec, temporibus retroactis, personali residencia regis Henrici Anglie, ejus nominis secundi, et Johannis, regis Anglie, honorata; et pro fidelibus serviciis ad reges Anglie et coronas suas feliciter multoties actis, in aliquibus antiquis chartis et indultis hec insignia honoris inter alia obtinuerit, ut civitas predicta appelletur 'Urbs intacta' et 'Camera Regis.'"

<sup>2</sup> Harleian MS. 1819. British Museum. Reproduced in Plate XXXIII. of Part III. of "Facsimiles of National Manuscripts of Ireland." London, 1879.

<sup>3</sup> See "History of the Irish Confederation and War in Ireland, 1641-3." Dublin, 1882.

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persons admitted to the freedom of the city. Among the latter were the following who had close relations with the Confederation, although no reference to that circumstance appears on record in the manuscript: Richard Bellings, Secretary of the Supreme Council; Carlo Francesco Invernizio, chief priest of Milan Cathedral; Pietro Francesco Scarampi, Papal Delegate to Ireland; Edward Tirrell, D.D., Agent to Louis XIV. from the Confederation; Diego de la Torre, envoy from Spain to the Confederates; Edward, Earl of Glamorgan, subsequently Marquis of Worcester, and his brother, Lord John Somerset.

The last entries in the manuscript in relation to the election of the Mayor and admissions to the franchise are those for 1649. In that year Waterford was ineffectively besieged by Oliver Cromwell, and in August 1650 it surrendered to the forces of the Parliament of England under Ireton.

A calendar of the contents of the "Parchment Book of Waterford" and the extracts appended from the manuscript are now published for the first time.

CALENDAR OF CONTENTS OF ANCIENT REGISTER-BOOK OF CITY OF  
WATERFORD.

	Fol.
"Registrum et tabula istius libri": old table of portion of contents. Incomplete - - - - -	1 <sup>a</sup>
A.D. 1541.—[33 Henry VIII.]—Peter Dobyn, Mayor, Robert Stronge and Robert Walsh, Bailiffs: Memorandum in relation to "the grant and fermes of the landes, tenancies, and thethes [tithes] of Kylkilling and of the late house of Gray Freres" - - -	4
"Firma Jacobi Wodlock et consortium suorum" etc: Memorandum, 31 March, 1542, on lease from "Maister Mayor, Balliffs, and citisaynes" to James Wodlock, Edmund Sherlock, and John Nele, of "the town and town-place of Kylkyllyn," etc. with reservations to Mayor, Bailiffs, and citizens, in connection with "the Pill of Donkit," "the late house of Gray Freres" within Waterford, the setting of ferns and rushes, pasture of horses resorting with carriage at the bank, the conveying of "all manner laying and ballast stones and clay for the affairs of the city and suburbs." - - - - -	"
Memorandum on lands held by Piers Butler, Earl of Ormonde and Ossory, deceased, and Margaret, his wife, from Dame Katherine Mothinge, Abbess of the late dissolved house of Kilklethin <sup>2</sup> and the Convent of the same.—3rd May, 1535.—[27 Henry VIII.] - - - - -	6b
Inquisition at Waterford, 18th September, 28 Henry VIII.—[A.D. 1536]—before William Lincoll, Mayor of that city and King's Escheator, etc. relative to the "Priore, Monasterie, house, hospital or cell of St. John's," near the city of Waterford - - -	7
Inquisition at Waterford, 18th September, 28 Henry VIII. [A.D. 1536] before William Lincoll, Mayor and King's Escheator, etc., relative to the same Priory, and to the claims on it by the Abbey of SS. Peter and Paul at Bath, and reference to Act of Parliament at Dublin, 1st May, 28 Henry VIII. [1536], before Leonard Grey, Lord Deputy of Ireland - - - - -	7b

<sup>1</sup> Fol. 1a is blank.<sup>2</sup> In County of Kilkenny.



Indenture, 13th December, 6 Edward IV. [A.D. 1466] between Mayor, Bailiffs, and Commons of the city of Waterford, and Thomas, Prior of the Cathedral Church of Bath and the convent of the same place, and all their tenants and parishioners of St. John the Evangelist, beside the said city of Waterford -

86

Charter from John, Earl of Moretain : Protection for brethren of house of Hospital of St. John of Waterford. Witnesses: William de Weneval, etc.—Undated. [A.D. 1185–1199] -

9

Writ from Henry VIII., addressed to William Saint Loe, James White, and James Wodloke, of Waterford, relative to dissolution of Hospital of St. John the Evangelist, at Waterford.—Dated at Dublin, 12th June, 28 Henry VIII. [1536] -

"

Petition, in French, to King [Edward III.] and Council in England from Mayor and citizens of Waterford, commencing as follows : " A lor tres resdoute seigneur, nostre seigneur le Roy, et a son tres sage counsaill : Monstrount vos pour[e]s leges, Maire et citteseines de sa citte de Waterford en Irland," etc. The petitioners, in consideration of their various losses and reduced state, apply to have granted to them for ten years the issue of the custom styled "coket," and remission of £16 8s. 4d. per annum out of their yearly rent to the Crown.—Undated. [A.D. 1371–2] -

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Writ of Edward III., dated at Westminster, 30th March, 49th year [A.D. 1275] addressed to Stephen, Bishop of Meath, and John Kepoc, Justices of Pleas in Ireland, and William Ilger, Escheator of Ireland, on petition from Mayor, etc. of Waterford -

"

Inquisition at Kilkenny, by twenty-four jurors, before Stephen, Bishop of Meath, John Kepoc, and William Ilger, Escheator of Ireland, on Saturday after the feast of the Holy Trinity, 49 Edward III. [A.D. 1375.] Incomplete.<sup>1</sup> -

"

Exemplification, by John Mcriz, Deputy of John Darcy, Justiciary of Ireland, at Dublin, 2nd of April, 17 Edward III. [A.D. 1343] of inspeximus of charter of Edward I. to Hospital of St. John the Baptist and Hospitallers of St. John of Jerusalem, dated at Winton, 20th June, 37 Henry III. [A.D. 1253]: Inspeximus of charter of Henry III. of protection to the Hospitallers of Jerusalem, dated at Winton, 23 June, 37 Henry III. [A.D. 1253]. Confirmed by Edward I. at Westminster, 8th June, eighth year [A.D. 1280]: Also the following confirmations of same grant: York, 30th June, 1 Edward II. [A.D. 1308]; Chertsey, 20th September, 2 Edward II. [A.D. 1308] -

11

Exemplification, at Westminster, 14th May, 36 Edward III. [A.D. 1362] of petition in French from Mayor and Commonalty of the city of Waterford -

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Writ from Edward III., Westminster, 1st April, twenty-sixth year [A.D. 1352] addressed to Prior and Hospital of St. John of Jerusalem in Ireland, relative to encroachments on the King's prerogatives -

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Letters Patent, dated Dublin, 8th May, thirteenth year of Edward IV. [A.D. 1473].—Containing inspeximus of pleas at Dublin before Sir Robert Dovedall and Robert FitzRery, "gentleman," Chief Justice of the King's Bench in Ireland, in Michaelmas

<sup>1</sup> Leaf 10 is missing.

term, 12 Edward IV., in relation to customs and franchises in Thomastown, Inistioc, St. Mullins, Ross, etc. Recital of charters and records of reigns of Henry III., Richard II., and Henry VI.	13
Charter from Edward IV., 30th July, fourteenth year [A.D. 1474], granting to Mayor, Bailiffs, and citizens of Waterford ten pounds per annum out of fee-farm of city	19
Charter of Edward IV., dated at Westminster, 5th August [A.D. 1474], fourteenth year, granting to Mayor, Bailiffs, and citizens of Waterford permission to appoint two Commissioners to state their accounts annually, with immunity to the Mayor, etc.	19b
"What fees due to the Water Balyff: By virtue of a warrant directed unto us, the undernamed, <sup>1</sup> by the Right Worshipful John Sherloke, Esq., Maior of the cittie of Waterford, bearinge date the 17th of October, 1618, for the excessive duties and fees of corne and saulte taken by Dominicke Linch, Waterbaliffe of Waterford, of shippes and barches of corne and saulte that comes to this cittie of Waterford, we have duily and truly examined and perused the said feeses, which wee thought good to certifie under our hands as foloweth, dated the eighteenth of October, 1628"	20
Order and manner of election of Mayor, Bailiffs, and other officers, with oaths of the following: Mayor, Sheriffs, Bailiff-Receiver, Recorder, four Sergeants, Water-Bailiffs, Jailer, Constables, Members of the Council, Measurers, Porters, Porters of the Gates, Water-Bailiff at Passage, Aldermen and Jurats, Town Clerk, Auditors, Surveyors, Clerks of Corn Market, and Justices of the Peace.—Appendix I.	21 <sup>2</sup>
Fees and amercements of city Courts, Waterford.—Appendix II.	28
Murage and ancient customs levied at Waterford.—Appendix III.	30
Regulations, A.D. 1483-4, for assize and weight of bread within the city of Waterford.—Appendix IV.	30b
Memorandum of agreement between Mayor and Commons of Waterford and James Sherloke, "cittisaine of the same," in relation to land in county of Waterford: "Tempore Jacobi Rice, Maioris, Johannis Lincoll et Henrici Fagan, Ballivorum civitatis Waterfordie, anno regni Regis Henrici Septimi primo, anno Domini 1483:—Vera copia extracta ex antico libro memorandorum civitatis Waterfordie vocato le Commone paper, examinata et exemplificata per subscriptos:—Richard Strange, Mayor, etc."	31b
Order, in Michaelmas term, 1629, by Privy Council, Dublin, in relation to fees to be paid to officers of Exchequer by the Sheriffs of Waterford, on passing their accounts <sup>3</sup>	32b
Act by Mayor and citizens of Waterford, dated 1st June, thirty-sixth year of Elizabeth [A.D. 1594], for constitution of Guild of Glovers, Shoemakers, etc.	34
Act by Mayor, Sheriffs, and citizens of Waterford, 1626, for incorporating Guild of Tailors, Saddlers, Hat-makers, Haberdashers, Hosiers, "Broducers," and Button-makers, resident within the city of Waterford.—Appendix X.	36b
Order, by Adam, Lord Viscount Loftus of Ely, Lord Chancellor of Ireland, Chief Judge of the High Court of Admiralty, directing	

<sup>1</sup> Alexander Leonard, John Skiddy, Thomas White, and John Ley.<sup>2</sup> The leaf following fol. 21 was not numbered in the original. It is hereafter referred to as 21<sup>a</sup>.<sup>3</sup> Leaf 33 is missing.

Sir John Cresbie to take charge of the ship called "the three Kings of Enchusen," then in the port of Waterford, with company of twenty-eight men. Dated 24th September, 1629 - - -

38

Order, dated, at the Castle of Dublin, 8th August, 1631, by Adam Loftus and Richard, Earl of Cork, Lords Justices, prohibiting detention of Patrick Sherloke, who was to be examined at Waterford in suit between the Baron of Kearie [Kerry] and Lighsnae [Lixnaw] and the Lady of Kearie, his mother-in-law, and his children - - -

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Act by Mayor and Sheriffs of Waterford, in their "public Dernhundred," before the feast of Easter, for incorporating Guild of "cotners, shermen, tuckers, clothiers, and diers," residing within the city of Waterford and its liberties. Dated 2nd May, 1632 - - -

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"Liber Primus:" First book of Acts and statutes of the city of Waterford, A.D. 1365-7-1524-25.—Appendix V. - - -

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A.D. 1526-7.—[18 Henry VIII.]—John Morgan, Mayor, William Lyncoll and John Lumbard, Bailiffs.—Acts - - -

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A.D. 1529-30.—[21 Henry VIII.]—James Sherlok, Mayor, John Sherlok and Thomas Lumbard, Bailiffs.—Acts - - -

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A.D. 1530-31.—[22 Henry VIII.]—John Morgan, Mayor, William Lyncoll and Edward Sherlok, Bailiffs.—Acts - - -

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A.D. 1533-4.—[25 Henry VIII.]—William Wise, Mayor, James Wodlock and Peter Dobynn, Bailiffs.—Acts - - -

68<sup>b</sup>

A.D. 1534-5.—[26 Henry VIII.]—George Sherloke, Mayor, James Walshe and Edward Sherloke, Bailiffs.—Acts - - -

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A.D. 1535-6.—[27 Henry VIII.]—William Lyncoll, Mayor, Peter Dobyne et Thomas Sherloke, Bailiffs.—Acts - - -

69<sup>b</sup>

A.D. 1536-7.—[28 Henry VIII.]—Thomas Lumbard, Mayor, John Butler and James Madan, Bailiffs.—Acts - - -

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A.D. 1538-9.—[30 Henry VIII.]—Edward Sherloke, Mayor, John Butler and Thomas Sherloke, Bailiffs.—Acts - - -

69<sup>\*b</sup>

A.D. 1541-2.—[33 Henry VIII.]—Peter Dobyne, Mayor, Robert Stronge and Robert Walsh, Bailiffs.—Acts - - -

"

A.D. 1542-3.—[34 Henry VIII.]—James White, Mayor, Nicholas Leus and Thomas Grannt, Bailiffs.—Acts and admissions - - -

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A.D. 1543-4.—[35 Henry VIII.]—William Lyncoll, Mayor, Robert Walsh and William Maddan, Bailiffs.—Admissions - - -

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A.D. 1544-5.—[36 Henry VIII.]—Edward Sherlock, Mayor, Maurice Wise and Henry Walsh, Bailiffs.—Admissions - - -

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A.D. 1546-7.—[38 Henry VIII.]—Peter Dobyne, Mayor, Thomas Grant and William Lumbard, Bailiffs.—Admissions - - -

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A.D. 1546-7.—1547-8.—[1 Edward VI.]—James Walssh, Mayor, Thomas Wise and William Maddan, Bailiffs.—Admissions - - -

"

A.D. 1547-8.—1548-9.—[2 Edward VI.]—James Madan, Mayor, Maurice Wise and Nicholas Leeos, Bailiffs.—Admissions - - -

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<sup>1</sup> Fol. 41 is missing.

<sup>2</sup> Between leaves 69 and 70 is a leaf above referred to as 69\*. Leaves 68 to 93 bear an additional old numeration extending from 27 to 73.

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<sup>1</sup>, <sup>2</sup> The lower halves of leaves 73 and 82 have been cut away.<sup>3</sup> Elected on death of Wise, in December 1563.

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<sup>1</sup> A reproduction of fol. 91 appears in the Appendix to "Facsimiles of National MSS. of Ireland." Part IV. 2. London, 1884.

<sup>2, 4</sup> The lower halves of leaves 97 and 106 have been cut away.

<sup>3</sup> The sheriffs were constituted under the charter of Queen Elizabeth, in 1574.

<sup>5, 6</sup> Leaves 112 and 120 are missing.

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<sup>1</sup> Leaves 123 to 129, inclusive, are missing.

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<sup>1</sup>, <sup>2</sup>, <sup>3</sup> The upper portions of leaves 162, 163, and 168 are missing.<sup>4</sup> Leaves 173 to 177, inclusive, are missing.<sup>5</sup> Leaves 179 and 180 are missing.

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In the entries under this head, extending from fol. 196a to fol. 210b, are dates and names of Mayors and Bailiffs of the city of Waterford, from John Malpas, Mayor, A.D. 1365–6—1366–7, to James Madan, Mayor, A.D. 1548.

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A.D. 1638.—[14 Charles I.]—Nicholas Wise, Mayor, John Blueth and John Morgan, Sheriffs.—No entries on this page, except the heading with these names of the officials for the year - 216

A.D. 1639.—[15 Charles I.]—Robert Lombard, Mayor, Luke White and John FitzGerald, Sheriffs.—No entries on this page, except the heading, which contains the preceding names of the officials for the year - - - - 217

A.D. 1640.—[16 Charles I.]—Mathew Grant, Mayor, Mathew, Porter and Henry White, Sheriffs.—Admissions - - - 218

<sup>1</sup> Leaf 190 is missing.

<sup>2</sup> The leaves after 210 have no old pagination.

<sup>3</sup> The upper part of this leaf, containing name of Mayor, has been cut away. The date and some letters are gilt. Rubricated capitals appear on leaves 211, 212, and 214.



Exemplification, under the mayoralty seal of the city of Waterford, of documents, A.D. 1597 and A.D. 1601, connected with James Madan Fitz-William, Paul Sherlock, James Sherlock Fitz-James and James Sherlock FitzJohn, in relation to St. Katherine's grange, near Waterford<sup>1</sup> - - - - - 219b

Letter from Charles I., Oxford, 27th December, 1643: Authority to Sir Robert Wailsh to raise, enrol, and retain one regiment of one thousand foot in Ireland for the service of the King - - - - - 222

A.D. 1644.—[20 Charles I.].—Luke White, Mayor, Lawrence Barron and Nicholas Jones, Sheriffs.—Admissions as follow<sup>2</sup>:

"Hoc anno recepti sunt ab libertatem civitatis Waterford prædictæ:

Richardus Bellings, armiger.

Richardus Berford, armiger.

Carolus Franciscus Invernitiis.

Petrus Franciscus Scairampus" - - - - - 223

A.D. 1645.—[21 Charles I.].—Gerald Lincoll, Mayor, Peter Morgan and James Lincoll, Sheriffs.—Admissions, including the following:

"Edwardus Tirrell, Sacræ Theologiæ Doctor, etc.

"26 Februarii, 1645[-6]: Prænobilissimus Dominus, Dominus Edwardus, Comes Glanmorgan.

"Nobilissimus Dominus, Dominus Johannes Somersett, frater dicti Comititis Glanmorgan" - - - - - 224

Petition of the "Masters and Confraternities of the seven Companies of the Architects of Waterford" to the "Mayor, Sherriffs, and cittizens of Waterford." Signed by the Masters of the "hammermen," masons, shoemakers, shermen, weavers, tailors and carpenters. With order, dated 10th April, 1646 - - - - - 225

A.D. 1646.—[22 Charles I.].—Paul Waddinge, Mayor, Edmund FitzGerald, and James Walshe, Sheriffs.—Admissions, including the following:

"Johannes Birne, Centurio.

"Jacobus De Latorre, Secretarius Excellentissimæ Catholicæ Majestatis [Philip IV.]

"Richardus Blake, Miles.

"Petrus Power, de Cullfyn, Armiger, nunc Vicecomes Waterford.

"Martinus Leonard, Doctor Medicinæ." - - - - - 225b

A.D. 1647.—[23 Charles I.].—John Blueth, Mayor, Francis Butler and Martin Gall, Sheriffs.—Admissions - - - - - 226b

A.D. 1648.—[24 Charles I.].—John Walsh, Mayor, Andrew Morgan and Bartholomew Sherloke, Sheriffs.—No entries on this page except the heading with these names - - - - - 227b

A.D. 1649. — John Livet, Mayor, Nicholas FitzGerald, and James Linhame, Sheriffs.—Admissions.—In margins are two coats of arms partly colored in red. Portion of page erased<sup>3</sup> - - - - - 229

<sup>1</sup> Leaf 221 is blank. The MS. does not contain records of the elections or acts between 1640 and 1643. The Mayors during that period were: 1641, Francis Briver; 1642, Thomas White; 1643, Redmond Gerald.

<sup>2</sup> See introductory observations, p. 270. The upper half of leaf 222 of the MS. has been cut away.

<sup>3</sup> Leaves 230 and 231 are blank.

MUNICIPAL  
ARCHIVES OF  
WATERFORD.

## I.

ANCIENT REGULATIONS AT WATERFORD FOR ELECTIONS OF MAYORS  
AND OFFICIALS.

Fol. 27.

"Here folowith the ordre and manere of the election of Maire and balyves, and othre officers, and of their solempne othes, with othre many usages and consuetudes accustomed.

"The Proposition used in the day of the election.

"Right Worshupfull maistres, it is, I doubt not, stabled in your remembrance how it have bene oute of tyme of mynde accustomed within this cite of Waterford, as wele by the good olde and laudable custom of the same as by dyvers severall grants and lettres patents of the Kyngs noble progenitors and predecessors, made, granted, and conferred to the citisains of the same cite, the which grants and lettres patents the Kyng, oure Sovereigne Lorde, that now is, of his noble good grace have ratified, approved, and conferred that yerly this present Monday next afre the Visitacion of Our Ladye,<sup>1</sup> all the citisains then beyng and restyng within the cite hooly<sup>2</sup> assembled in a place deputed for the same afre that they and every of them were solempny sompned<sup>3</sup> by the Sergeants of the cite, the Sondag next befor the present Monday, and that they by ther [w]hole commene assent shold electe and chose one to be Maire, and two balyves, to have the rule and governaunce of the cite for the yere then next following.

"Worshupfull maistres, it is so, that for the same cause all ye bene sompned and assembled to be here the same day that ye and every of you singularly shall gyve his voice and free election according as well with the forsaid good, olde, and laudable custom and grannts as with othre dyvers ordynances and establenments made upon the same within the cite: and, now, by your commune assent to electe and chose one parson<sup>4</sup> to be Maire, and two balives, the most able parsons<sup>5</sup> of policie and prudence that ye shall thynk most expedient and necessary for the commene weale and profite of the cite; and that, for noo favour, nor malice, but upon such charge and conscience as ye bere and owe to the cite, the said Mayre and balives, so by you chosen, may have the rule and governaunce of the cite for this yere next following, they to rule and governe the same afre ther discretions in suche wise as shall accorde with God [h]is plesire, the King, our Sovereigne Lorde [h]is honour, and the commene weale of the cite.

"Ye have here, my worshupfull maistres, A.B., Maire, C.D. and E.F., balives of the same, whom ye, of your commune assent by election have elected and chose to be officers of the cite for this yere last passid, all be it by ther owne report and also commanded me to say the same, that thei bene and were full ample and unable to bere the rule and charge of soe honorable a cite and commenes as here bene, they and every of them thank you right hertly that it pleasid it you, of your benyvolence to admytt thabilitie of ther parsons to take and bere that charge, ther symplenesse considerid. And they yeve you ther especiall thanck and laude as for the most lowly and humble commynes in obediennce that ever any officers hadd or have in charge or governaunce. And, by all ther powers and wisdom, by the sadd and ripe advice of the said counsaile, they have ruled and governed the cite in every poynt all this yere

<sup>1</sup> July 2. In 1480-1 the election was ordered to be held on the Monday after the festival of the Exaltation of the Holy Cross, 14th of September. See No. CI., Appendix V. The day was altered as above by Elizabeth's charter, in 1568-9.

<sup>2</sup> wholly.

<sup>3</sup> summoned.

<sup>4</sup>, <sup>5</sup> person, persons.

that is last past as them thoght most goodly and profitable for the unyversall commune weale of the same. And if they coude or myght have done better thei wolde have soo done. And if there be any parson or parsons that can or may say or prove that my saide maistres, the Maire and balyves that bene present, or any of them, have offended you, or any of you, othrewise then lawe requyreth, ye have here my sailde maistres and every of them that bene redy to attend and satisfye the same as fer forth as lawe requyrith and the custume of the citie. fol. 21.\*

"Maistre Maire, accordinge to the olde custume of this citie, ye shall arise and call unto you three of your brethren, and gyve your election with one or them.

"Et tunc omnes cives procedant viva voce ad electionem.

"Electione antea facta, Recordator ad electum dicat :

"Maistre N. N., it is so, that my right worshipfull the commynes that bene here assembled, by ther free election and commene assent, have chosen and taken you as for the most able parson of wisdom and policie to be Maire of this citie under oure Sovereigne Lorde, the Kinge, for this yere folowing. And that ye, without negligence or ignoranne, shall putt yourself in full besynes<sup>1</sup> and devoir to rule, guyde, and governe the citie by the advice of your consaile, with all your prudence, policy, and power, in such maner and forme as shalbe thought by you and the consaile of this citie most profitable and beneficiall for the commene weale of the same. And my said right worshipfull Maistres, the commynes, hertly pray you so to do, and that ye shall have the more courage for thexecution of the same, my saide maistres bene and shalbe redy to gyve you ther ayde and assistance in all things concernyng the commyne weale and profite of this citie, and that as oft tymes as they or any of them shalbe by your Maistreshippe requyred to doo the same.

"Nowe, Maistres, procede to thelection of your ballives.

"The Mayre [h]is othe.

"Ye shall wele and truly serve our Sovereigne Lorde, the Kyng, in the office of the mairaltie of the citie of Waterford, and his profits ye shall do in all thyngs in asmuche as to you appartayneth, after your witt and power, and his rights to the crowne appartaynyng truly ye shall kepe. Ye shall not assent his rights nor his franchises to be concelid. And where ye knowith the King's rights tuching the Crowne, be it in landis, rents, or franchises concelid, ye shall putt your true power, labour, and payne, the same to repele, and if ye may not so do, ye shall certify the same to the King, or to some of his Consaile, that ye be certayn that thei it tell to the King. fol. 21\*b.

"Also, the King's detts for yeft nor favour ye shall not respite there as ye may them raise without great grevannce of the dettours.

"Also, that wele and truly ye shall governe the people that bene or shal be undre you within your jurisdiction, and to every man ye shall doo right and playne justice as to hym appartayneth, and ye shall not for meade, favour, love, nor malice, wrong do to anybody, nor his right distourb.

"Also, that wele and truly ye shall acqyute at the Eschecker the people that ye receveth of the King's detts, and nothyng ye shall receive where-by the King's rights may be distourbed, or his detts delayed.

"Also, that wele and truly ye shall obey and retorne the King's writts and commandments, after your witt and power, and that no such writt nor commandment be received by you butt if it be sealed under the King's

<sup>1</sup> business.

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seale. Except that ye receive them of such officers as have power to delyver them by hande.

"Also, that wele and truly ye shall kepe the goode custumes and usuages of the citie.

"Also, that wele and truly ye shall serve the office of Mairaltie of the staple, and right doo to every man.

"And ye shall make noo freman of the staple, without the advise of the merchantts of the same.

fol. 22.

"Also, that wele and truly ye shall serve the office of the Clerck of the marcket; and in the same manere ye shall serve and occupy the office of the Justice of the Peace, and that onys or two tymes in [*blank*] ye se the people of your jurisdiction mustred the yere with thair bodily harneis and wepyn hable for the defence of the citie.

"Also, that wele and truly ye shall occupy and governe the offices of the Eschetour, and Admyrall, and all thyng that to them doth appartayne, and to every of the premysses, wele and truly ye shall doo, after your wytt and power, and by the advise of your consaile. So help you God and all Saynts."

"The othe of the Sheriffs.

"Ye shall wele and truly serve our Sovereigne Lorde, the King, in the office of the Shereffe of the countie of [the] citie of Waterford, and his profite ye shall do in all thing in asmuch as to you appartayneth, after your witt and power, and his right to the Crowne appartayning truly ye shall kepe. Ye shall not assent his rights nor franchises to be conceled, and, if ye know it, ye shall putt your power to repele the same, and if ye may not so do, ye shall certify the King or some of his Consaile of the same. And the King's detts for yest nor favour ye shall not respite there as ye may rese them without great grevance of the dettours.

"Also, that wele and truly ye shall leade and governe the people that bene and shalbe undre your balive, and to every man ye shall do right, as wele to the poer as to the riche, and playne justice, as to him appartaineth. And ye shal not, for yest, grant, favour, love, nor malice, wrong doo to ony body, nor his right distourb.

"Also, that wele and truly ye shall search the wach of the citie two tymes by the wick, or as many tymes more as it shalbe thought necessarye and expedient, if you bee thereunto required. And that ye see the correction of brede onys every wick. And that ye see that duhe correction be done uppon flesh and fish, according to the proclamation made uppon the same.

"Also, that ye make noo party with no manere parson that shall enplede before you in court.

fol. 22b.

"And that ye make none ehquests to be somned betuxte party and party by noo manere favour.

"Also, ye shall wele and truly serve and occupy the office of the constables of the staple. And ye shall kepe your prisoners that bene comytted to your warde faire and faste.

"Also, that wele and truly ye shall kepe and execute ail the goode, old, and auncient custumes and usuages of the citie. And all other things that appartaigneth unto your offices, and to every of them, afire your witt and power, and by the advise of the Consaile of the citie. So help you God and all Sayntes."

## "The othe of the balive receiver.

Ye shall wele and truly receive all manere of custumes and rents due unto the King and this citty, as well of all manere marchandise and goodes comyng unto the cite inwarde as goyng from the cite outwarde. And ye shall doo your true diligence to gaddre and reise the said custumes and rents. And that welle and truly ye shall accompt for the same. And ye shall make noo commerce with no man within the lande butt it accorde with the lawes and ordenances of the cite for the same provided and made. So help you God and all Saints."

## "The othe of the Recorder.

"Ye shall wele and truly serve and occupy the office of the Recorder of the cite of Waterford, and true recordes make within court and without court.

And ye shall make noo party with no manere of man in court, for love nor for malice, nor for noo goodes that ye shall have, or shalbe grant for you to have.

And that ye make no serjant to sompne none enquests by noo manere of favour.

And that wele and truly ye make your warants and truly ye make your bokes to charge and discharge the Sherife of all his receipts inwarde and outwarde, and of othre his charges and accompts.

And that ye have noo parte to foryeve the King [h]is duties, without the advise of Maire, balyve, and the consaile of the cite.

Also, the consaile of the cite ye shall wele and truly kepe. And all othre manere things, that unto the said office appertaigneth, wele and truly ye shall doo as ferr as your cunnyng and power may extende. Soo help you God and all Sayntes."

## "The othe of foure Serjantes.

"Ye shall wele and truly persue and kepe the office of the Serjant of the cite of Waterford, and attache every man when ye be requyred, and no playnt concele. And truly kepe consaile of that ye herith, and to no man it revele. And that ye mantaigne no manere of action agaynst any freman in courte. And that ye sommon noone enqueste by noo manere favour.

Also, that wele and truly ye kepe your wach in propre person, or by sufficient attorney admytted by Maire and Shirefs.

Also, ye shall wele and truly execute the warrants and precepts of the courts and truelyc retorne them agayne.

Also, if ye know any custumes conceled, ye shall yeve the Maire and Sheriffes witting to the same.

And ye shal not goo oute of the cite without lycennc of Maire and Sheriffes.

Also, ye shall not take or receive any mede or rewards of no man, contrary to the lawes and custom of the cite. And all things that longith and appartaineth to your offices ye shall wele and truly doo. So help you God and all Sayntes."

## "The Waterbalive.

"Ye shall wele and truly kepe your tydes and the ferye bootes,<sup>1</sup> and no money, nor pledges receive but such money and pledges as ye shall bring and delyver to the Sherife. And truly make the septimana, and the slippes, and the King's gowts<sup>2</sup> kepe clene as well as ye may. fol. 23b.

<sup>1</sup> Ferry boats.<sup>2</sup> water-courses.

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Thes, and all othere things that appartaigneth to your office, ye shall wele and truly doo. So help you God and and all Sayntes.

" The Geailers othe.

" Ye shall doo noo duress to no manere of man, to make him pay fyne, rewarde or rannson. And that wele and truly ye shall kepe your prisoners faire and faste by night and by day, so that no hurt nor losts com to the citie by your necligent keping. And that wele and truly ye shall pay the ballyves all the receipts that ye receveth of thestretes of the courts.

Also, that wele and truly ye shall serve and kepe the office of the Marshall of the Staple.

Thes, and all othere things that appartaigneth to your office, ye shall wele and truly doo. So help you God and all Sayntes.<sup>1</sup>"

" The othe of every of the Consayle.

fol. 24.

" Ye shal be goode and true to the King, our Soverain Lord, and to his hayres, and to the Maire and cominaltie of this citie of Waterford, and ye shall help the same citie to your power, and secretly kepe all the consaile of the same.

And ye shall com to the Mayre [h]is sompnes,<sup>2</sup> when ye are sompned or warned to the yeld hall<sup>3</sup> or to the consaile hous, and to all othere places within this franchises.

And ye shall yeve true and holsom consaile, by all your cunnyng and witt, to the Maire, balyves, and commene consaile that bene or shalbe in tyme commyng in all manere matiers that shalbe commened of emong them.

And ye shall yelde noo parciall consaile for love, favour, brokage, nor hate of any parson.

And of all manere matiers that ought to be kept consaile, ye shall kepe it so.

Also, ye shall stand [w]holy with the Maior, balives, and all the worthy men, and all the comminaltie of the citie of Waterford, in all manere matiers, causes, and nede, belonging to the saide citie.

And ye shall not be of consaile, nethre parciall with no manere of man against the Maior and the comminaltie, nor agaynst any thing belonging to them in noo wise. So God you help and all Saynts.<sup>4</sup>"

" The othe of the Porters of the gates.

fol. 25.

" Ye shall be faithfull and true unto our Souverain Lorde the Kyng, and to the Maioures, Baillyves, and commens of the citie of Waterford in observing thoffice of the portership of the gates.

And ones that ye open the gates in the morning tyll ye close them and loke them in the evenyng, ye shall not departe from the gates without ye leve a sufficient attourney to kepe them.

And yf ye hier [hear] any hugh [hue] other crye<sup>5</sup> within or without, ye shall make faste your gates.

And yf ye see any man force your neighbours, ye shall do your best to ayde and helpe him.

And in all things beneficiall for the citie ye shall well and trulie observe and kepe. So helpe you God and holidom, and by this boke."

<sup>1</sup> Here follows "The Constables othe."

<sup>2</sup> summons.

<sup>3</sup> guildhall.

<sup>4</sup> Here follow "The othe of the Mesurers," and "the othe of the Porters." <sup>5</sup> or.

“The othe off the Water Baylyve of the Passage.<sup>2</sup>

“Ye shall well and truelie serve the office of the water baylyve of the Passage, and ye shalbe faithfull and true to the Maier, Baylyves, and commens of the citie of Waterford, and wele and truelie serve the warrantes and preceptes which shalbe directed to you from the Maier and Sheriffs for tyme being and truelie retorne them.

And ye shall duelie receyve the custumes and ankorage of all goodes and shippes which shall com within haven and truelie accompte to the Baylyve for the same.

And kepe duely and truelie that no goodes be discharged within haven nor no bulk broken.

And that no manere man charge no goodes nor marchandises within haven without speciall licennc of the Maier and Baylyves for tyme being.

And ye shall see, hier, nor knowe no hurtes nor prejudice to com to the citie by lande nor by water, but ye shall defende it yf ye can by your power. And if ye can not defende it, ye shall warne the Maier and Baylyves of the same.

And all other things that belongeth to your office ye shall wele and truelie do by your power. So helpe you God and holidom, and by this boke.”

“The othe off the Fremen.

“Ye shalbe good and true to our Sovereine Lorde the Kyng and to his heirs and successours, and to the Maier and Baylives that have the citie to kepe; and ye shall not hier nor see no hurte nor prejudice to them nor to the citie; And ye shall defende it by your power And yf ye can not defende it, ye shall geve the Maier and Baylyves due warnyng of the same. fol. 25b.

And ye shalbe obedient to the ministers of the citie.

And ye shall mayntayne and supporte the franchises, fredom and all the suncient custumes and usages of the citie, to your power.

And ye shall be contributory of all the charges touching the citie, as in sommons, watching, tallage, and other charges, and geve and yelde as other fremen doth.

And ye shall not avowe the goodes of foreyns as your own goods, whereby the Kyng lose his custumes.

And yf ye knowe any foreyn that occupieth any merchandise in the citie, ye shall warne the Maier and Baylyves of the same.

And ye shall not implede no freman of the citie without the citie, yf ye may have righte don to you before the ministers of the citie.

And yf ye knowe any congregacion or assemble made against the peace, ye shall warne Maier and Bailives for tyme being.

And yf yourself and your wyfe dwell a twelmoneth and a daye without the cite, ye shall lose your franchises. And yf ye com to deasire hit againe, ye shall paye for the same v. li., without ye have speciall grace.

“And ye shall within this three monethes have good and able body harneys to be redy at all tymes at commandement of Maier and Baylyves to defende the citie, when nede ys, or els ye shall lose your frannches, without any grace.”

And all the premisses, and every poynt of them, ye shall wele and truelie do. So helpe you God and all Sayntes.”

<sup>1</sup> Passage, in county of Waterford.

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"The Sheryffs othe.

fol. 26.

"Ye shall swere that truelie ye shall serve the Kyng in the office of the Sheryff of the countie of Waterforde, and the Kyngs proffit do in all things that longeth to you, after your witte and power, and the rightes and all things that longeth to the Crowne truelie kepe.

Ye shall not assent to degresse nor concele the Kyngs rightes nor frannches. And where ye knowe the Kyngs rights of the Crowne, be it in lands or in rentis or in frannchieez or in sutis conceled or withdrawn, ye shall do your true power to reple it. And yf ye can not reple it, ye shall tell it to som of the Kings Counseile, which will releve it to the Kinge.

Ye shall not, for [g]ifte nor favour, respite the Kings dettis wher ye may, without gret grevance of the dettours, make leve of them.

And that wele and rightfullie [ye] entret the people of your bailiue and do right to every man, as wele to the pore as to riche.

And that, for [g]ifte nor favour, nor behest, nor malice, to no man do wrong, nor no mannes right distorbe.

And truely you shall acquite at thescheker the people of whom ye received the Kings dettis.

And that ye take nothing wherthrough the Kinge may lese, or wherbie his right may be distorted or his right delaied.

And that mekelie ye shall receive the Kings writtis and commandements, and trulie retorne them after your witt and power.

And that ye make your southshirief under you to make such othe as longeth to hem. So helpe your God and all Saints."

II.

ANCIENT FEES AND AMERCEMENTS IN CITY COURTS, WATERFORD.

fol. 28.

"Feoda omnimodarum Curiarum civitatis Waterford, secundum usum et consuetudinem ejusdem, sequuntur, videlicet:

Curia Placitorum curie hundredi sive regalium.

In primis, pro qualibet querela assise frisceforceie communi		
pixidi	-	x.s.
Item, Recordatori, sive clerico	-	v.s.
Item, servienti pro executione waranti	-	ii.s.
Item, servienti Maioris de quolibet qui recuperat per assisam		
pro possessione habenda	-	ii.s.
Item, pro qualibet querela accionis compoti	-	v.s.
Item, pro qualibet querela accionis debiti communi		
detentorum catallorum comenc' transgressionum et omnium		
aliarum querelarum	-	iii.d.
Item, Recordatori, sive clerico Curie, pro quolibet polo	-	ii.d.
Item, eidem Recordatori, sive clerico, pro quolibet warranto in		
querela predicta	-	iiii.d.
Item, servienti pro executione cujuslibet warranti	-	ii.d.
Item, Recordatori, sive clerico, pro quolibet essonio	-	ii.d.
Item, Janitori pro quolibet homine in custodia sua commisso		
in querelis predictis, videlicet, pro qualibet querela	-	iiii.d.
Item, pro quolibet counge communi	-	iii.d.
Item, de quolibet querenti, si recuperat in querela predicta	-	iii.d.
Item, si defendens sit acquietatus	-	iii.d.
Item, Recordatori, sive clerico, pro introitu cujuslibet libertati		
aliquorum civium	-	vi.d.



Item, "quatuor servientibus pro introitu cujuslibet libertati predictorum civium cuilibet servienti - - - -	vi.d.
Item, Recordatori, sive clerico, pro supplicatione facienda -	iid.

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## "AMERCIAMENTA PREDICTE CURIE:

In primis: Si aliquis sit arestatus ad sectam alicujus, et invenit manucaptos, si non venerit responsurus querele prima die manucaptos sui amerciabitur - - - -		ix.d.
Item, ii <sup>a</sup> die - - - -	-	xviii.d.
Item, iii <sup>a</sup> die - - - -	-	iii.s.
Item: Si aliquis sit summonitus ad comparandum in aliqua inquisita et non compareret, amerciabitur - - - -		ix.d.
Item, ii.s. tertia vice, ut supra.	.	
Item, pro qualibet affr[ai]a - - - -	iii.s.	iiii.d.
Item, pro qualibet affusione sanguinis - - - -	v.s.	
Item, pro quolibet tractu armorum - - - -	vi.s.	viii.d.
Item, pro quolibet contemptu contra consuetudines et leges civitatis, fines capiantur secundum discrecionem Maioris et Balli- vorum, exceptis illis casibus ubi fines et redempciones sunt ordinate per leges et consuetudines predictas."		

"FEODA ET AMERCIAMENTA CURIE DE PULVERIZATO PEDE<sup>1</sup>:

In primis: Quilibet extraneus, sive querens sive defendens, non potens expectare Communem Curiam habebit curiam de Pulverizato pede de die in diem, et hora in horam, et dabit Maiori et Ballivis ad usum illorum pro curia sua habenda -		xx.d.
Et omnia alia feoda et amerciamenta reddantur in duplo, sicut in Curia Hundredi."		

## "FEODA CURIE STAPULE DICTE CIVITATIS ET AMERCIAMENTA EJUSDEM. fol. 29

In primis, de qualibet querela cujuscunque accionis, videlicet, ad usum et disposicionem Maioris et Constabulariorum, et non ad communem pixidem - - - -		xx.d.
Item, Recordatori, sive clerico, pro introitu cujuslibet querele -		viii.d.
Item, eidem pro quolibet waranto - - - -		viii.d.
Item, eidem pro quolibet polo - - - -		iiii.d.
Item, Mariscallo pro executione waranti - - - -		iiii.d.
Item, pro introitu libertati cujuslibet Stapule Maiori et con- stabulariis ejusdem Stapule - - - -		v.s.
Item, Recordatori, sive clerico, pro intratione cujuslibet dominis - - - -		viii.d.
Item, Mariscallo, pro feodo suo - - - -		iiii.d.

"AMERCIAMENTA EJUSDEM CURIE SICUT IN CURIA CIVITATIS  
SUPRASCRIPTA.

## "CURIA FERIE CIVITATIS PREDICTE ET AMERCIAMENTA EJUSDEM:

In primis, de qualibet querela accionis debiti, detentorum catal- lorum, transgressionum et convencionum fractarum, communi pixidi - - - -		vi.d.
Item, si querens recuperet, solvet communi pixidi - - - -		vi.d.
Item, si defendens acquietabitur, solvet - - - -		vi.d.

<sup>1</sup> Court of piepoudre. See p. 335.

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Item, Recordatori, sive clerico, pro quolibet polo	-	-	iii.d.
Item, eidem, pro quolibet waranto	-	-	viii.d.
Item, servienti, pro executione cujuslibet warananti	-	-	iii.d.
Item, jurisdictio ejusdem Curie ferie incipit hora xii <sup>a</sup> die Sabbati proximo ante festum Ascencionis Domini et sic continuatur de die in diem, et hora in horam, usque ad horam xii <sup>am</sup> diei Lune proxime post predictum festum Ascencionis.			

“AMERCIAMENTA EJUSDEM CURIE.

In primis, si arestatus non compareat, manucaptores ejusdem amerciabuntur prima die	-	-	-	xviii.d.
Item, ii. die	-	-	-	iii.s.
Item, iii. die	-	-	-	vi.s.
Et ista amerciamenta pertinent communi pixidi.				

“FEODA RECORDATORIS, SIVE CLERICI, ET LE WATERBALIF, EX INTROITU NAVIUM ET EXITU, INTER EOS EQUALITER DIVIDENDA.

In primis, de qualibet navi extranea que habet toppe sive popam	-	-	-	iii.d.
Item, [de] qualibet navi que caret toppe	-	-	-	ii.d.
Item, de quolibet mercatore extraneo	-	-	-	ii.d.
Item, de qualibet navi que pertinet ad illas civitates et villas tam de Anglia quam de Vallia et Hibernia que gaudent libertatibus civitatis Waterford	-	-	-	iii.d.
Item, de qualibet tali navi que non habet toppe	-	-	-	ii.d.
Item, de qualibet navi batello onerato cum ostris	-	-	-	oistr <sup>1</sup> .
Item, Recordatori sive clerico, pro scriptura coket de quolibet mercatore expresso in coket	-	-	-	iii.d.
Item, pro Rege, de qualibet navi que habet batillum, pro ancorage	-	-	-	v.d.
Si autem non habeat batillum	-	-	-	iii.d.
Item, de quolibet mercatore in suo primo adventu capman yele, <sup>1</sup> videlicet vi.d. pro Rege ; pro Ballivo i.d. ; pro Recordatore, i.d. ; et pro le waterbaliff, ob.	-	-	-	viii.d. ob.
Et post ea tociens quociens quilibet mercator transit ultra mare solvet et quilibet eorum solvet	-	-	-	vi.d.
Et si non transiet ultra mare non solvet infra eandem istam terram nisi semel in anno	-	-	-	vi.d.

fol. 296.

“FEODA OFFICIARIORUM CIVITATIS WATERFORD.

In primis, Maior, quolibet anno, pro feodo officii sui	-	-	-	x.li.
Item, Ballivus Regis	-	-	-	xl.s.
Item, Ballivus Receptor	-	-	-	lx.s.
Item, Recordator	-	-	-	xl.s.
Item, Serviens Maioris iii. virgatas dimid. panni Anglici ad faciend' sibi juppam et capucium	-	-	-	xx.s.
Item, Janitor, ad faciend' juppam et capucium iii. virgatas et dimid.	-	-	-	viii.s. iii.d.
Item, Serviens Ballivi aque, ad faciend' juppam et capucium iii. virgatas et dimid.	-	-	-	xiii.s. iii.d.
Quiquidem serviens habebit de qualibet navi intrante cum bladis si continet iii. weyas unum bossellum ; si non continet iii. weyas, habebit dimid. bossellum.				

<sup>1</sup> Chapman Guild.

Item, Serviens qui vocatur Vigilator, ad faciend' juppam et capucium, iiii. virgatas et dimidiam, et de qualibet aula infra civitatem iiii.d., et de qualibet shopa ii.d.

Item, duobus Constabulariis suburbionis civitatis, pro feodis suis, vi. virgatas panni Anglicani, videlicet, cuilibet ipsorum iii. virgatas, ad faciend' duas juppas."

## III.

## MURAGE AND ANCIENT CUSTOMS LEVIED AT WATERFORD.

[i.] "Muragium civitatis predictæ secundum antiquum usum, scriptum . . . (oblit.):

In primis, de qualibet vacca venali	-	-	-	-	i.d. ob.
De quolibet multone venali	-	-	-	-	q <sup>a</sup> .
De quolibet vele venali	-	-	-	-	ob.
De quolibet porco venali	-	-	-	-	ob.
De quolibet sacco cujuscunque bladi . . . ,	-	-	-	-	q <sup>a</sup> .
De quolibet corio frisco, venali	-	-	-	-	ob.
De qualibet libra cere	-	-	-	-	q <sup>a</sup> .
De quolibet scoll butiri qui valet iiii.d.	-	-	-	-	q <sup>a</sup> .
De qualibet pecia panni qui excedit ii. lamas	-	-	-	-	q <sup>a</sup> .
De qualibet nova falingna <sup>1</sup> et nova white	-	-	-	-	ob.
De qualibet lagena mellis	-	-	-	-	q <sup>a</sup> . fol. 30.
De qualibet petra de tallo	-	-	-	-	q <sup>a</sup> .
De quolibet pondere equi, si valor excedit xii.d.	-	-	-	-	ob.
De qualibet petra lane	-	-	-	-	q <sup>a</sup> .
De quolibet salmone	-	-	-	-	q <sup>a</sup> .
De qualibet petra flock	-	-	-	-	q <sup>a</sup> .
De qualibet petra maddir	-	-	-	-	q <sup>a</sup> .
De quolibet equo	-	-	-	-	iiii.d.
De quolibet caballo	-	-	-	-	ii.d.

[ii.] "Iste sunt custume civitatis Waterford ab antiquo tempore usitate, prout in antiquis rotulis civitatis predictæ continetur, denuo tamen scripte tempore Jacobi Rice, Maioris, Thome Brown et Gerald Lynncoll, Ballivorum ejusdem civitatis, anno regni Regis Edwardi Quarto quinto decimo [A.D. 1474-6]:<sup>2</sup>

De quolibet doleo vini	-	-	-	-	x.d.
De ii. pipis vini	-	-	-	-	x.d.
De quolibet dolio olei	-	-	-	-	xiiii.d.
De qualibet pipa mellis	-	-	-	-	vii.d.
De quolibet quarterio salis	-	-	-	-	iii.d.q.
De quolibet quarterio frumenti, carbonum et calcis	-	-	-	-	iii.d.q.
De quolibet quarterio de cork	-	-	-	-	iii.d.q.
De quolibet quarterio de woode	-	-	-	-	iii.d.q.
De quolibet doleo ferri	-	-	-	-	x.d.
De ii. pipis ferri	-	-	-	-	x.d.
De qualibet pipa salmonum	-	-	-	-	xviii.d.
De qualibet centena de hake	-	-	-	-	iiii.d.
De quolibet burdon de whitefysh	-	-	-	-	i.d.
De quolibet meise de scalpin	-	-	-	-	i.d.ob.
De quolibet meise allecum	-	-	-	-	iii.d.q.
De qualibet centena anguillarum	-	-	-	-	ii.d.
De quolibet barello allecum	-	-	-	-	iii.d.

<sup>1</sup> Irish mantle.

<sup>2</sup> This heading is in writing of the sixteenth century.

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De qualibet dacia correorum	-	-	-	vi.d.
De qualibet dacia correorum cervorum	-	-	-	iii.d.
De qualibet dacia correorum forinsecorum	-	-	-	x.d.
De qualibet dacia corveis vel cordiwan	-	-	-	ii.d.ob
De qualibet centena pellium ovium	-	-	-	iii.d.
De qualibet centena de white ledder	-	-	-	iii.d.
De qualibet centena de kidfell	-	-	-	id.ob
De qualibet centena pellium caprarum	-	-	-	iii.d.
De qualibet centena pellium agnorum, cuniculorum et leporum	-	-	-	id.ob
De qualibet centena de calffell	-	-	-	ii.d.
De qualibet duodena de [pelle] martini	-	-	-	id.
De qualibet duodena de [pelle] ottiris	-	-	-	id.ob
De qualibet centena de foxfell	-	-	-	iii.d.
De qualibet centena cirogrillorum	-	-	-	i.
De qualibet duodena panni Anglici	-	-	-	iii.d.
De qualibet duodena de osete	-	-	-	ii.d.
De qualibet copla de figis et resins	-	-	-	ii.d.ob
De qualibet centena de rice	-	-	-	ii.d.
De qualibet centena de almons	-	-	-	iii.d.
De quolibet wey de tallow	-	-	-	iii.d.
De quolibet barillo picis, tarr vel saym oil	-	-	-	iii.d.
De qualibet centena plumbi, stagni, vel pewtre	-	-	-	ii.c.
De qualibet centena de bordis	-	-	-	iii.d.
De qualibet centena de botelbordis	-	-	-	id.
De qualibet pp de wode	-	-	-	xx.d.
De qualibet centena cere	-	-	-	ii.s.i.d.
De quolibet doleo picis et rosine	-	-	-	x.d.
De qualibet centena de lyncloth streit	-	-	-	ii.d.
De qualibet centena de lyncloth brode	-	-	-	iii.d.
De quolibet accipitre	-	-	-	xx.d.
De quolibet tarcell	-	-	-	x.d.
De quolibet dosain cardis	-	-	-	ii.d.
De quolibet last barill' vacant	-	-	-	ii.d.
De quolibet purpeis vel sell <sup>1</sup>	-	-	-	ii.d.ob
De qualibet centena de sope	-	-	-	ob.
De quolibet dosain de oignyoned	-	-	-	id.
De quolibet dosain de leksede	-	-	-	ob.
De quolibet equo ultra mare transituro	-	-	-	vi.s. viii.d.
De qualibet valencia xx.s. omnium aliarum mercandizarum et haburdash, videlicet :				
De quolibet mercatore de Anglia et Hibernie	-	-	-	iii.d.
Et de quolibet mercatore extraneo	-	-	-	vd.ob.
Item, for the custome of every dusen tawed caulf skynnes	-	-	-	vi.d.
Item, for every hundreth shepe skynis tawed	-	-	-	xvi.d.
Item, for every dossen dere fells tawed	-	-	-	xviii.d.
Item, for every hundreth goat skynis tawed	-	-	-	iii.s.
Item, for every stone Spanish woll	-	-	-	ii.d. <sup>2</sup>

## IV.

## ASSIZE OF BREAD AT WATERFORD, A.D. 1485-6.

fol. 80b.

"Memorandum : That here after followeth the assise and wyghte of the bred within the cite of Waterford, ordeined and establied by Jamis Rice, being Maior of the cite, John Lincoll and Herry Fagan being

<sup>1</sup> seal.

Ballivis of the same, the yere of King Herry the viith the first yere [A.D. 1485-6].

In primis, it was ordeined and estabed by the said Maior and Ballives that yf the busshell of whette [wheat] be boghte for, xii.d., then the penny lofe of white bred and of gode paste shall wey vi. li. and dimidium. Item, by the lawe and statute it sholde wey vi. li. iii. s.

Item, yf the busshell whete be sold for xvi.d., the lofe solde wey iii. li. and dimidium vi. unc. Item, by lawe and statute it sholde wey iii. li. iii. quarteris iii. s.

Item, at xviii.d. the bosshell whete, the lofe sholde wey iii. li. et. iii. unc. Item, by the lawe and statute it sholde wey iii. li. and dimidium and viii. d.

Item, at xx.d. the bosshell whete, the lofe shold wey iii. li. and dimidium. Item, by the statute it sholde wey iii. li. iii. quarteris ii. s. viii. d.

Item, at ii.s. the bosshell whete, the lofe sholde wey iii. li. Item, by the law and statute it shold wey iii. li. viii. s.

Item, at ii.s. vi.d. the bosshell whete, the lofe shold wey ii. li. and dimidium. Item, by the lawe and statute it shold wey ii. li. and dimidium iii. s. vi. d.

Item, at iii.s. the busshell whete, the lofe sholde wey ii. li. ii. unc. Item, by the lawe it sholde wey ii. li. iii. unc. and viii. d.

Item, at xl.d. the busshell whete, the lofe sholde wey i. li. iii. quarters. Item, by the lawe and statute it shold wey i. li. iii. quarters iii. s. x. d.

Item, here ye may se before whate the brede shold wey by the lawe and statute, and how it is ordeined and made to be lasse in wyght within the cite for the extent that the bred shold be the whitter and the better made. fol. 31.

Item, the shippe lofe which is made of clane whete as it cometh from the shefe shall wey the white lofe and halfe.

Item, the broune lofe shall wey ii. white lofes.

Extracte out of the Red boke another order.

The white lofe shall wey vi. li. at xvi.d. the boshell.

The white lofe iii. li. dimidium and vi. uncis at xviii.d. the boshell.

The white lofe shall wey iii. li. and iii. uncis at xx.d. the boshell.

The white lofe shall wey iii. li. dimidium at ii.s. the boshell.

The white lofe shall wey iii. li. at ii.s. vi.d. the boshell.

The white lofe shall wey ii. li. dimidium at iii.s. the boshell.

The white lofe shall wey ii. li. ii. uncis at xl.d. the boshell.

The white lofe shall wey i. li. iii. quarteris. (sic.)"

# V.

## "ACTS AND STATUTES" OF CITY OF WATERFORD, A.D. 1365-7.— 1524-5.

"LIBER PRIMUS: Here begynneth the first boke contenyng all Actes and Statutes ordayned and made by the commene assent of Mayre, Ballyffs, Citsains, and Commynalte of the cytie of Watirforde, from the fourti yere of the reigne of Edwarde the Thirde [A.D. 1365-7] unto the fyfte yere of Henry the Eighte [A.D. 1513-14]:<sup>1</sup> fol. 42.

<sup>1</sup> The entries, it will be seen, at p. 329, extend to a date subsequent to that here named.

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THE FIRST ACTE.—[A.D. 1365-67.]

Memorandum: That, in the forsaide yere of Kyng Edward, John Malpas then beyng Maire of the forsaide cite, it was ordaynid by the commene assent that if ony man shal broche or retaile ony wyne upon the retailyng or salis<sup>1</sup> of the commene wyne callid prisage, that then he that so dothe shall gyve to the Commynes, xl.s., for every ton that is solde, and for every pipe xx.s.

THE SECONDE.

Also, in the tyme of Richard Brusebon, Mayre, Wyllyam Lunbarde and Walter Spennse, Baliffs of the forsaide cite: It was ordayned that whosoever burgeise, of the saide cite wold by ony wyne, or any othe marchandise, of ony estranger, or sill<sup>2</sup> them in a tavern, or otherwis by ony coloure or fraude, to his encrease or losse, if the wyne, or othe marchandise, be not his, that then he shal be amerced in xl.s.

THE III<sup>de</sup>.—[A.D. 1382.]

Be it knowin that the Monday nexte after the feste of Saint Mygell the archangle, in the vi. yere of the reigne of Kyng Richart the Seconde, in the Gylldhal of the cite of Watirforde, in that dernhundred, by the commene assent of the citsains of the same, It was grantid and ordaynid that al hoggs, soues, bores, and al other swyne and piggs that sholde be founde by day or nyght walkyng within the saide cite, or in the trenchis and dycks<sup>4</sup> of the same, that they shal be slayne and kylled by thos or by others that bene specially deputid unto the said office. Also, by nyght they may be slayne by al[1] men, so fyndyng them walkyng, without damage or losse. Also, if by driftis they be founde, the house, oute of whiche they yssued or shal enter, the seriant shal straine in the same house for xl.d. tociens quociens.

THE IIII<sup>th</sup>.—[A.D. 1384-5.]

fol. 42b.

Also, in the eighth yere of the said Kyng Rychart, Wyllyam Lunbarde being Maire, John Rykyll and Myllon Poer, bailliffs of the saide cite, it was graunted and ordaynid by commene assent of al the Comynalte of the saide cite that if ony man duellyng<sup>5</sup> within the lyberte of the same cite shal curse, diffame, or dispice ony citsayn of the saide cite in calling him Yrishman, and herupon he shal be convicted and shal gyve to him xiii.s. iiiii.d. withoute ony grace.

THE v<sup>th</sup> ACTE.—[A.D. 1388-9.]

Also, in the tyme of Myllon Poer, Maire, John Robart and Wylliam Andrew, bailliffs of the cite of Watirforde, in the xii. yere of the reigne of Kyng Richart the Seconde, in the dernhundred day, it was grantid and ordaynid by al the Comynalte of the said cite that al mesuages and shoppes that bene coverid with strawe, hay, or herbage, within the walls of the saide cite sholde be caste downe and overthrown other discoverid by Ester nexte following this present date.

And if the lords of the said mesuages and shoppes wil not parforme the same within the said terme, that then they shal pay to the Maire and commynes xl.s. for every mesuage or shop so by the lords not caste downe.

And if the Maire and balliffs for the tyme being wil not leve and areyse the said xl.s., or shal be negligent in al premissis that thar. it shal be allowed in the fee of the Maire and bailliffs for tyme being.

<sup>1</sup> sales. <sup>2</sup> sell. <sup>3</sup> The city assembly, see No. XV. <sup>4</sup> dikes. <sup>5</sup> dwelling.

Also, it was grantid and ordayned in the same day that from thensforth that no mesuage nor shop be coverid with strawe, hay, or herbage, within the wallis of the saide citie, upon the saide payne, and the mesuages and shoppes to be caste down by the Maire and balliffs for tyme being, upon the same payne.

THE VI.—[A.D. 1391.]

It was grantid and ordayned in the Twesday nexte after the feste of the exaltation of the Crosse in the xv. yere of the reigne of Kyng Rychart the Seconde, Myllon Poer, Maire, John Rykill and William Andrew, bailiffs of the citie of Watirforde, by the [w]hole assente of the Comynalte, in the day of election of Maire and balliffs, that from thensforwarde no man to be elected into thoffice of Mairalte but if he be firste in thoffice of the ballyship.

THE VII<sup>th</sup>.—[A.D. 1394-5.]

Be it knowin that in the xviii yere of Kyng Rychart the Seconde, Wylliam Folkushul, Maire, John Rykil and John Ruyl, balliffs of the citie of Watirforde, in thar [their] dernhundred day, it was grantid and ordayned by oure saide Sovereaine Lorde and Kyng, and by the commene assent of al the comminalte of the saide citie, that from thens no man shall be recevid unto the fredome of the saide citie if he wil not duel<sup>1</sup> within the liberte of the same.

And if it shal fortune ony freman soe recevid after the saide acte and ordynance to duel without the libertie of the saide citie, that then he shal lose the fredome of the same.

And if evir after he shal desire the saide liberte, after his departyng and duelling<sup>2</sup> oute of the same, and shall be recevid againe, that then he shal owe unto the commynes of the saide citie and to thar successours x.*li*. of mony lawfull and currant, to be payed at the wil of the saide commynes, withoute ony grace.

And his othe and allother to be recevyd hereafter in forme aforesaid and none other manere.

THE VIII.—[A.D. 1430-31.]

In the ix<sup>th</sup> yere of Kyng Henry the VI., William Lyncol, Maire of the citie of Watirforde, John Pope and Nycolas Goghe, balliffs of the same, it was grantid and ordayned, by common assent, that every Maire for tyme being may gyve triewis<sup>3</sup> and safe conducte unto every man, thoghe they were indictid or outlawid, to come unto the saide citie, there abiding or there departing, for al maner actiones and complaints, excepte only for duhe dette.

THE IX<sup>th</sup>.—[A.D. 1430-31.]

Also, in the same yere it was ordayned that no citsaine shal take no pledge nor restraynth for his marchandice of no ydelman<sup>4</sup>. And if they wil take and therof ony doemage and hurte shal fortune to the citie for that cause that then they that suche pledges doo take shal save the citie from al doemage and shal restore what is taken.

THE X.—[A.D. 1430-31.]

Also, the same yere, by commene assente it was ordayned that no preste sholde have no wif or concubyne within the citie, and if they may be founde, the fynders shal have al ther clothes and thar bodies to the jayle of the saide citie unto tyme thei shall mak a fyne.

<sup>1</sup> dwell.

<sup>2</sup> dwelling.

<sup>3</sup> truce.

<sup>4</sup> see no. xix., p. 295.

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THE XI.—[A.D. 1430-31.]

Also, in the same yere, by commene assent, it was enacted and ordayned that no Maire nor ballif from hensforthe shal pardon and forgyve ameracements of brede, ale, wacche<sup>1</sup> and affrayes, and if they shal pardon the same, contrary to this acte, that then it shal be allowed and discomptid of thar fees.

THE XII.—[A.D. 1427-8.]

fol. 43b.

Be it knowyn that in the vi. yere of Kyng Henry the Syxte, Pierre Rice, Maire, Nicolas Goghe and Thomas Trevennor, balliffs of the cite of Watirforde, it was grauntid and ordayned by commene assent if any man, of what condicion or estate that he be, shal within the saide cite procure trespasse or forly any doughter of Maire or balliffs and counsaile of the said cite that nowe or in tyme comyng shal be, that thenne he that so doethe shal pay xl. *li.* in mony to the said Maire, balliffs, and counsaile, to marry the saide damsel.

THE XIII.—[A.D. 1427-8.]

Also, in the same yere by commene assent it was grauntid and ordainid if any man shal trespasse or forly any freman [h]is doughter of the said cite, that thenne he shal pay to hir fader, other to the nexte of his kyn x. *li.* in mony, to marry the same doughter.

THE XIII.—[A.D. 1427-8.]

Also, in the saide yere, by commene assent it was ordayned that if any man shal trespasse or lyby any nurishe or apprentice of the saye Maire, balliffs, counsaile, and fremen of the saide cite, he shall pay to thar maistres v. *li.* in mony.

THE XV<sup>th</sup>.—[A.D. 1427-8.]

Item, in the forsaide yere, by commene assente it was enactid grantid, and ordayned that the Maire and balliffs of the saide cite, that nowe bene or in tyme comyng shal be, shal not receve no man unto the fredome or liberte of forsaide cite, but only in the dernhundred there kepte from the monday after Mighelmas tyl it be done.

THE XVI.—[A.D. 1427-8.]

Also, in the sayde yere, by commene assente it was ordayned and enactid that no citsaine hereafter have no delays in any playnthe, but only in an action of dette.

And if any of the saide citsayns be insufficente or effugitif in the saide actione of dette that . . . <sup>2</sup> righte he shal fynde sufficient suerties unto the courte of the saide cite for the value of the action and after to emov the forsaide delays.

And if it shal fortune that the saide citsaine may fynde no sufficient suerties, as it is sayde, that then the saide citsaine, of what estate he be of, shal be arrestid by his body unto tyme that the action so dependyng betwene the parties shall be fyneshid and determyd.

THE XVII.—[A.D. 1427-8.]

fol. 44.

Also, in the saide yere, by commene assente, it was grantid and ordayned that if any citsaine of the saide cite hereafter wolde accuse by him other<sup>3</sup> by any other any citsaine of the same unto any lorde as to

<sup>1</sup> watch.

<sup>2</sup> MS. indistinct.

<sup>3</sup> or.



the Kyngs Deputie, Erle, Barron, other Knyght, by the whiche accusa-  
tion the saide citsain so accusid shal exspende or losse ony goods, or in  
ony manere shal be vexte, or shall labour oute of the saide citie, that  
then the saide citsaine by whome or in whos name the accusation was  
made shal pay unto the forsaide citsaine so accusid threes as much as he  
in expences and gifts shall losse.

And also the accusere shal losse his fraunches for ever.

THE XVIII.—[A.D. 1449.]

Be it knowin that in the xx<sup>d</sup> day of October, in the xxviii. yere of  
Kynge Henry the VI., Pierce Stronge, Maire, Thomas Yonge and  
William Broun, balliffs of the citie of Watirforde, it was ordayned that  
what ever man is fugitif for dette, and goethe into a freman [h]is house,  
if he mayntaigne, withholde, or hide him, by him or by his wife, that  
then the party actonit shal chearge the goodman of the house with as  
much goods as the fugitif owithe, els to delyver the man.

THE XIX.—[A.D. 1428-9.]

In the vii. yere of the saide Kyng, Robarte Lyncoll beyng Maire,  
Nycolas Beverley and Nicolas Goghe, balliffs of the said citie, it was  
ordayned and enactid by commene assente that whatt ever man duellyng  
within the citie arreste ony ydelman<sup>1</sup> for ony trespasse done upon forayne  
grounde, or to bringe warre upon the citie, whereby they bene prayed  
and losid thair goods, that then who doeth soe shal pay to the commynes  
xx<sup>d</sup>.li., tociens quotiens.

THE XX<sup>d</sup>.—[A.D. 1433-4.]

Memorandum: That in the xii. yere of Kynge Henry the VI., Roberte  
Lyncoll, Maire, Nicholas Beverley and Nicolas Goghe, balliffs of the  
saide citie in the dernhundred day, it was ordayned and grantid that no  
citsaine hereafter shoide bey<sup>2</sup> no whete nor none other grayne by his  
concubyne, but if she be his wif, and shall not bake ne brewe by hir,  
but only by his wif or siervaunt, and this only to the use and profite of  
his housholde.

THE XXI.—[A.D. 1433-4.]

Also, it was ordayned and grauntid by commene assente in the saide fol. 44b.  
yere that the Maire and balliffs duryng the yere sholde be commene  
oieres<sup>3</sup> of al merchandise commyng unto the said citie, and to distribute  
the same upon al citsains and commyralte of the same, as they shal see  
behouffull.

THE XXII<sup>d</sup>.—[A.D. 1433-4.]

In the saide yere, it was enactid by commene assente that if ony  
man jurate in an enqueste sholde revele the counsaile of his felawes,  
and therupon shal be convicted, he shal forfeite and lose the libertie of  
the saide citie and shall gyve to the reparation of the wallis xx<sup>d</sup>s. And  
also if ony man shal say that thenqueste is forsworn, he shal pay the  
same payne as afor is saide.

THE XXIII<sup>d</sup>.—[A.D. 1433-4.]

Also, it is ordayned, by commene assente of all the citie, that if  
ony man hereafter wil gyve his goodes, mevable<sup>4</sup> or unmevable,  
unto ony other man, in defraude of the courte of the saide cytie of

<sup>1</sup> "poor gentleman."

<sup>2</sup> buy.

<sup>3</sup> buyers.

<sup>4</sup> moveable.

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Watforde, or of the staple courte of the Kynge of the same citie, or of the party pleyntiff, that then the gyver and the receiver of the saide goods shal lose thar liberte and euche of them shal pay v.*li.* to repaire the wallis withoute any grace.

THE XXIII<sup>th</sup>.—[A.D. 1433-4.]

Also, it was ordayned by commene assent that no man sholde sille no salte out of a shipp by mesure, but only by mesure oute of his cellere. And that no man have no great sune of salte willing to sille the same for a litle price, and shal not sende oute of the citie the marchandise of an estrangere in defraude of his negbore.

And also that no man shal sende no salte, wyne, yrn,<sup>1</sup> clothe, or any other manere of marchandise, out of the citie, by lande or water, unto tyme that he shal pay the King's due costume [custom], that if the said marchandise be solde by retaile, and if any be founde in the premisses and convicted in the same, he shall pay v. *li.*

THE XXV<sup>th</sup>.—[A.D. 1433-4.]

Item, it was enacted that no man hereafter shal sende any marchandise in ship or in bote, but firste he shal come unto the ballif and shal shewe (*sic*) for the same marchandise.

THE XXVI<sup>th</sup>.—[A.D. 1433-4.]

fol. 45.

Also, the sayde yere it was ordayned that no maistre of the botis from thensforthe shal have no more wagis than as every other laborer beinge in the same bote.

THE XXVII<sup>th</sup>.—A.D. 1433-4.

Also, it was enactid that herafter no man sholde have none oblationes except the sierjaunt and bakere.

THE XXVIII<sup>th</sup>.—[A.D. 1433-4.]

Be it in memory that in the xii. yere of Kynge Henry the Sixte, Roberte Lyncoll, being Maire, Nicholas Beverley, and Nicholas Goghe, baliffs of the saide citie, in thar dernhundred day, it was grantid and accordid by commene assente that the Maire and counsaile of the goode governaunce of the same may ordayne and make actes and statutes benyficiall for the saide citie so parfecly and fully and the same having the office as if all the saide commynaltie sholde make the same ordynaunces and also al othir necessities for the welfare and profite of the saide citie in doynge and executyng the same as moste expediente unto them it shal be sayne, the tallage exceptid.

And that the Maire and counsaile that nowe bene, or in tyme comynge shal be, have the same poer, al tymes to come, withoute any contradiction of the commynaltie in thar dernhundred day for ever.

THE XXIX<sup>th</sup>.—[A.D. 1434-5.]

Memorandum: That in the dernhundred day, the xiii. yere of Kynge Henry the Sixte, Robert Lyncoll, beyng Maire of the forsaide citie, by commene assente of citsains and comynes, it was grauntid and ordayned that if any man duellyng<sup>2</sup> within the citie or suburbes of the same, be he freman or denysyn duelling in the saide citie that shal bye of any estrangere any marchandise, be it of a commene or his proper bargaine, and if the strangere be not paide by the day assigned betwene them that than

<sup>1</sup> iron.

<sup>2</sup> dwelling.

the Maire and baliffs for tyme being shal pay thestrangere of thar propre goods, and the said Maire and Baliffs have leve of the the said citsaine or deynsyn *twies* asmuch.

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And if the Maire and Baliffs have not to pay, that then the said citsaine or deynsyn shal be commytted and layed to jayle notwithstanding of any libertie.

THE xxx<sup>th</sup>.—[A.D. 1435-6.]

Be it knowin that in the dernhundred day and in the xliii. yere of fol. 45b. Kyng Henry the Sixte, Wylliam Lyncoll beyng Maire, Myllon Sawters and William Rope, balliffs of the said citie, it was ordayned and grauntid by commene assente that every man hereafter that will age<sup>1</sup> other shal be agid when the defendant shal aunswere unto the pleyntif and both parties layed to an enqueste that afterwarde the party defendant shal not be acceptid nor chealaungid in his declaration of his evidennce as it have been of olde.

THE xxxi<sup>th</sup>.—[A.D. 1441-2.]

In the xx<sup>th</sup> yere of the reigne of Kyng Henry the Sixte, William Lyncol, Maire, John Fiz William Cor and Nicholas Morgan, Balliffs, of the saide citie, it was enactid that if any man, be he pleyntif or defendant, while thaction dependid, shal swere before his negbores affermyng that his action or his defence is triewe,<sup>2</sup> than the swerere, if he be pleyntif, shal losse his action befor Maire and Baliffs for ever, and if he be defendaute, he shal be convicted.

THE xxxii<sup>th</sup>.—[A.D. 1441-2.]

Also, it was ordayned in the saide yere by advyce of the commynes that no man be admitted nor receved unto the fredome of this citie lasse<sup>3</sup> than he have bene iii. yere an housholdere within the said citie to knowe his goode governaunce and conversation.

Also, that no man be acceptid to take his oethe without assente of the counsayle, and that it be donne within the closyng of the dernhundred.

THE xxxiii<sup>th</sup>.—[A.D. 1447-8.]

It is to have in mynde that in the xxvi<sup>th</sup> yere of Kyng Henry the Sixte, Robarte Lyncoll beinge Maire, Nicolas Morgan and John Fiz William Cor, balliffs, of the forsaide citie, it was ordayned by commene assente that if any estraungere will syll<sup>4</sup> any marchandise unto an other estraungere, that then he gyve to forfeite all suche marchandise that is solde.

And if any citsayn or freman shal syll any estraungere [h]is goods unto an other estraungere unto the profite of the sayde estraungere, that then he shal lose his lybertie.

THE xxxiiii<sup>th</sup>.—[A.D. 1447-8.]

Also, in the same yere it was ordayned by commene assente that no citsain nor freman shall maytaine and witholde within his house any estraungere agaynste his negbor for any action of dette, covenaut, other trespasse.

And, also, that no citsayn or freman shal reveve none estraungers in fol. 46. pledge or maynprice for any bargaine, but if he shal kepe hym in his house and shal not walk in the citie.

<sup>1</sup> form of legal proceeding.

<sup>2</sup> true.

<sup>3</sup> unless.

<sup>4</sup> sell.

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THE xxxv<sup>d</sup>.—[A.D. 1449.-9.]

Be it knowin that, in the xxvii yere of Kyng Henry the Syxte, Foucque Quemerforde, Maire, John May and John Macgilmor, bailiffs of the forsaide citie, it was enacted that al manere actiones of dette recoverid, in defaulte of an aunswere, Maire, Bailiffs, and geaylere shall paye it, and the plentif shal be putte to none oethe.

As to covenante, trespasse, and accompte, Maire and balliffs shal take no enqueste, and as the queste fyndithe it so shal Maire and Balliffs aunswere unto the pleyntif.

And, as tuchyng dette recoverid before Maire and balliffs for the yere beyng, and if the dettor escape or goeth att large, than the Maire and balliffs or gaeyler shal al (*sic*) the recovere unto the pleyntif.

THE xxxvi.—[A.D. 1455-6.]

Memorandum : That in the xxxiii<sup>d</sup> yere of oure saide Kyng and Souveraigne, Nycolas Goeghe beyng Maire, William Lyncoll and Pierce Hunte, balliffs of the said citie, it was ordayned by commene assente that what ever man were fugitifs for dette and wente in to a citsayne [h]is house to putte the actoure frome his action, if the citsain maintaine him, by him or by his wif, agaynste ony citsayne of the saide citie, than shal the actor with a sieríaunt charge the Goodman of the house with as muche dett as the fugitif owith unto the said actoure.

THE xxxvii.—[A.D. 1457-8.]

Also, in the xxxvi<sup>d</sup> yere of oure saide Kyng, Nycolas Morgan, Maire, Pierce White and John Sherlock, balliffs of the saide citie, it was ordayned and enacted by commene assente, in the dernhundred day, that what ever man or woman arrestithe any other within the citie or suburbes, thofficere of the same arreste shal bryng the defendant befor the Maire or balliffs of the citie, and there he shal fynde sufficient suertie unto the valeue of thaction, and every of them for other.

And if the suertie bringe not the defendant to courte in callid dayes, then the pleyntif shal declare agaynste the suerties, licke as the defendant were present.

THE xxxviii.—[A.D. 1457-8.]

Also, in the saide yere it was grantid and ordayned by commene assent, by a petition of the Deane and Chapitre of the Cee<sup>1</sup> of the said citie, that al fremen beinge within the chirche or churchiarde of the said Cee, shall be free of al manere offices to be done unto them by ony officers, and this acte shal endure as longe as the saide Maire and communes wil suffer the Deane and Chapiter to have the same fredome.

fol. 46b.

THE xxxix.<sup>d</sup>.—[A.D. 1457-8.]

In the xxxvi. yere of the forsaide Kyng, John Fiz William Cor. Maire, William Lyncoll and Nicolas Devereux, balliffs of the forsaide citie, in the dernhundred day by commene assent it was granted and ordaynid that if ony man duellyng within the citie or suburbes shal go with ony merchandise into any countre being at warre with the said citie, other else if ony man make a several peace by hymself for him and his goodes with ony man being att warre with the said citie, than he shal forfett and lose his libertie the firste tyme.

And if he useth thereafter to do the same, that then he shalbe expulte oute of the citie, else to pay to the communes an c. li.

And if he be no freman, that he pay xxs. and forfett the goodes that he takith with him or sendith in manere aforesaid.

THE XL. ACTE.—[A.D. 1457-8.]

Also, in the said yere and day, it was ordayned, by commene assente, that if it shal fortune to ony man, woman, or childe of the said citie to take any damage, hurte, or lose of goodes, in ony manere by ony man of the countie of Kylkenny, Typerary, Watirforde, and Waysford, or by any other nation of the lande of Irland, that then the Maire and balliffs for tyme beinge shal sende unto the Capitaine or chief of the countre where the hurte is done, to pray and requyre a remedy of that trespassse, and if they may have no remedye sufficient, then the said Maire and balliffs shal restraine for that said hurte and trespassse so done in manere aforesaid.

THE XLI. ACTE.—[A.D. 1458-9.]

Also, in the xxxvii. yere of the saide reigne, the saide John [Cor] beyng Maire, Jeames Rice and Pierce Hunte, balliffs of the said citie, in thar dernhundred day, by commene assent it was ordayned from thensforward that al fre men[s] wifis, after the death of thar husbondes, shall receive thar oethe and sacrament as the husbonde did afore.

And if they defoule thar bodyes in aduoultry after the decease of thar husbondes otherwise than matrimony requyryth that then they shall lose thar libertie.

THE XLII.—[A.D. 1458-9.]

Also, in the saide yere it was ordayned that al manere foreynes and fol. 47. servants duelling within the saide citie or suburbs from thensforwarde shall be sworne to be trewe unto the Kyng and to the citie of Watirforde, and in especial those that bene maistres of wodbotes and botemen.

THE XLIII<sup>d</sup>.—[A.D. 1458-9.]

Also, in the saide yere it was ordayned that no man hereafter be recevid unto the franchises and liberte of the said citie save only for the same crafte that he usith at his othe takyng, what ever crafte it be excepte brewyng and bakyng.

And that no manere man be received unto the saide franchise but that he duell afor his peticion makyng within the same.

THE XLIII<sup>d</sup>.—[A.D. 1458-9.]

Also, in the same yere it was ordayned by commene assente that ther sholde no manere of man be recevid sensers to passe fire of thar custumes over the sea at sens<sup>1</sup> makyng in no manner wise save only they that bene else by deade [deede] indentyd.

THE XLV<sup>d</sup>.—[A.D. 1459-60.]

Moreover, in the xxxviii<sup>d</sup> yere of the reigne of the saide Kynge, the saide John Cor beyng Maire, Thomas Nele and John Morgan, balliffs, in the dernhundred day, by commene assente it was ordayned that no manere of man of Yrishe blood nether bondman be recevid unto the

<sup>1</sup> assessment.

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fredome of the saide cite withoute he have his fredome and liberte of the Kyng afor and of the lorde that he is bonde unto.

And if there be ony suche recevid unto the saide fredome afor this tyme, that he save the cite lostlesse<sup>1</sup> againste the King for all chelanges that he or his officers wil make in tyme commynge for his recevinge unto the saide fredome.

And if ony suche man be chalanged in the same forme and be convicted in the same, that then he shal pay unto the cite xx<sup>ii</sup> li. sterling mony, and to save the cite lostlesse against al men in manere aforseide as ofte as it shal be requirethe.

THE XLVI<sup>d</sup>.—A.D. 1459-60.]

Also, in the same yere it was ordayned by commene assent that no manere of man of the saide cite shal receive none apprentice nother hirlyng, but the saide firste shal receive his othe afor[e] the Maire othe halliffs to be hole<sup>2</sup> and trewe unto the Kyng and the cite for ever, and who dud the contrary to abide Maire and balliffs grace.

THE XLVII<sup>d</sup>.—[A.D. 1459-60.]

In the saide yere it was ordayned that no woman sholde touke [dye<sup>3</sup>] in no manere place aforstrete within the saide cite by day or night, upon the payne of iiii. d., tociens quotions.

THE XLVIII<sup>d</sup>.—[A.D. 1461-2.]

fol. 47b.

Be it knowin that in the firste yere of Kyng Edward the Fourthe. John May beyng Maire, Pierce Hunt and John Leche, balliffs of the saide cite, in the dernhundred day, by commene assent it was ordayned and enactid for diverse causes that from hensforthe at thelection of Maire and balliffs, that the Maire for tyme beinge shall goo oute of the courte and take with him thre parsones<sup>4</sup> that were Mayres or Maire pares<sup>5</sup> which the Maire and counsaile wil choese.

And if ony of the saide thre parsones wil say that he wil not goo oute, ne obey the Mayre [b]is will at that tyme within iii. callings, shal pay to the reparation of the wallis viii. marc. and to serve thoffice for noght that yere.

And also the ii. balliffs for tyme beyng take with them oute iiii. more, such as Maire and counsaile wil choese, and if ony wil say the contrary, he shal pay iiii. marc. and serve thoffice in manere aforseide.

And if ony man that day of election absent himself to thentent that he sholde not be chose unto ony of the saide offices, then, if he be a Maire [h]is pare, he shall pay an c s., and a balliffs pare l. s., to the reparaciones of the wallis of the cite withoute any grace.

THE XLIX<sup>d</sup>.—[A.D. 1461-2.]

Item, in the saide yere, it was ordayned by commune assente that if ony citaine, freman or wydewe,<sup>6</sup> of the saide cite wil gyve the utterance of ony marchandise of ony manere of coloure unto a strangere, if it can be provid, he shal forfett his franchise, and (withoute ony grace) pay xl. s., to the reparation of the wallis.

And he can espy any suche done, he shal have the thirde parte, the officers another, and the Kyng that other thirde parte.

<sup>1</sup> free from loss.

<sup>2</sup> whole.

<sup>4</sup> persons.

<sup>5</sup> peers.

<sup>3</sup> or practice the trade of dyeing.

<sup>6</sup> widow.

## THE L.—[A.D. 1461-2.]

Also, in the saide yere it was ordayned that if ony forayne or strangere wil by or sill with ony other suche any manner marchandise, as wyne, yron, salte, clothe, samon, heringe, hake, whitfishe, other ony other goode, within the franchise of the saide cite, than the byere and siller shal forfett what is boght and solde to the devyded as afor is saide.

## THE LI.—[A.D. 1461-2.]

In the same yere, it was ordayned that there sholde no maner shipp of fol. 48. aliennts ne of the Kyngs enymeas excepte tho[se] that bene the Kyngis frendes shal have no licennc to be sette agrounde to be graved in no manere place within the franchise of the saide cite, upon paine of forfeiture of ship and goodes, and thair bodies to pryson that woll doo the contrary.

And, also, that they take no [bal]laste of stones on the said paine as ofte as ony suche is done withoute licennc.

## THE LII.—[A.D. 1461-2.]

Also, in the same yere it was ordayned that the Maire [h]is sieriant, the gaylere and the wakman<sup>1</sup> of the saide cite for tyme beyng shal have the mesuring of salte and corne that sholde long to the shifte<sup>2</sup> of the communes to helpe them in thair office, upon this condition that every of them have a talle man to mesure and to kepe the wacche, and also to folowe the Maire in markete dayes and at othre tymes necessary, and this as long as it shal please the Maire and commynes, and not of dutie.

## THE LIII.—[A.D. 1463-4.]

Memorandum: That in the x. day of October, in the thyrd yere of Kyng Edward the Fourthe, John Cor being Maire, James Brewere and John Molgan, balliffs of the saide cite, in the dernhundred day, by commene assente it was grantid and ordayned that hereafter every citsaine and freman of the saide cite shal declare in the courte al manere actions, as dette, covenant, trespase, accompte, detieneve, disceite, and al other manere actions that ony of the said citsains or fremen wil take or may take againste other, within the franchise of the saide cite, withoute ony exception or abatynge of his tale by the defendaunt or his attorney in no manere wise, and also that the defendaunt shal not be takin ne convicted in his answere gyving, however he aunswere, but bothe parties to tell the playne of the matire.

And if it hap, that ony citsaine or freman sue or vexe ony other oute of the franchise of the saide cite, by ony manere wyse, or afor ony estrange Judge within the saide franchise, save only before the Maire and balliffs and mynsters of the saide cite, that thanne he that doethe the contrary shal forfett his franchise and pay to the reparations of the wallis x. li. tociens quotiens, lasse than he be warne[d] and may have no right before Maire and balliffs.

## THE LIII.—[A.D. 1463-4.]

Also, in the saide day and yere it was ordayned that every deynsen fol. 48b. and forayne duelling within the saide cite shal declare al manere actions as it is afor. written, without exception or abating of his tale unto the value of xl. s. and to whom he hathe the actyon or he that is againste him defendaute.

<sup>1</sup> watchman.<sup>2</sup> share.

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THE LV.—[A.D. 1463-4.]

Also, in the saide yere, it was ordayned that if any estrangere duelling in the contre have any action to any man duelling<sup>1</sup> within the franchiseis of the saide citie, whatever condition that he be of, be his action never so greate ne so smal, he shal declare againste him after the discretion of Maire and balliffs for tyme beyng, without any abatynge of his tale in any wise.

THE LVI.—[A.D. 1465-6.]

In the fife yere of oure saide Kyng, William Lyncol beyng Maire of the forsaide citie, Jeames Brewere and Roberte Walshe, balliffs of the same, and whereas diverse patents of exemption of office and enquestes have be[en] purchasid by diverse parsons of the saide citie, to the greate hurte and prejudice of the Kyngs chartre and subjects: This by al the commynalte considerid, it was grantid and ordayned by commene assent ever hereafter, for the welfare of the saide citie, if any parson wolde labor or purchase any suche patents of exemption, that than he shal forfett his franchiseis and libertie without any grace for ever.

THE LVII.—[A.D. 1465-6.]

Also, in the same yere it was ordayned that no citsaine nor foraine duelling within the said citie and suburbs shal sue no writts of error. supersedeas, corpus cum causa, which sholde be hurteful and contrary unto any judgement gyvin within the courts of the saide citie of any plaints recoverid in any courte befor Maire and balliffs in manere aforesaide for any other judge or judges in Irland, upon payn of forfetur of his franchiseis without any grace for ever and every foraine, c.s. tociens quotiens, sine gratia.

THE LVIII.—[A.D. 1465-6.]

In the saide yere, it was ordayned for ever that at the election of the Maire there sholde no man goo oute of courte by hymselfe, ne by none other [h]is takyng oute, to be electid Maire save only by the Maire and counsaile of the said citie openly electid and choesen in courte, and the balliffs in likwise.

fol. 49.

And, if any suche be done hereafter contrary unto this ordinaunce, that it shal stand voide and as for none.

THE LIX.—[A.D. 1465-6.]

Also, in the same yere it was ordayned that no manere man, woman, or childe, shall gyve, borow ne sill<sup>2</sup> bords, yren, pitche, rosene, nor tarre, ne othre thyngs whereby a bote sholde be made, to any ydle man<sup>3</sup> of the counties of Waisforde, Kylkeny, Tiperrary, and Watirforde, upon paine of xx<sup>d</sup>. s., and, if he be a freman, to forfett his fredome withal.

Also, that no carpentere make them botes, nor smythe nayles, upon the same payne.

THE LX.—[A.D. 1465-6.]

Item, in the saide yere, it was ordayned that no man, woman, nor childe, shal gyve, borow, lende, or sill to no man, gentleman, ydlemar, nor husbondman, of the countie of Watirforde, clothe, wyne, yrene,<sup>4</sup> ne salte, vepen or armor, corne, victail, ne no manere marchandis, durante the tyme of thar unkyndnesse other warre with the citie, ne to none

<sup>1</sup> dwelling.

<sup>2</sup> person.

<sup>3</sup> sell.

<sup>4</sup> See p. 295.

<sup>5</sup> iron.



other manere of men of no parties aboute the said citie in lickwise, upon paine of xx. s. tociens quociens, and losing of that franchiseis.

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THE LXI.—[A.D. 1465-6.]

Also, in the same yere, it was ordayned that no manere of parson<sup>1</sup> sholde by no manere marchandis ne victal at no tyme of the yere comyng to the citie by water or by land att the Back, Grenaghe, Donkitt, or without the gate or within, till it com unto the marcket place, which is ordayned in the saide citie, in disceite of the custom and murage of the same, upon payne of vi. s. viii. d., tociens quociens.

THE LXII.—[A.D. 1465-6.]

Also, in the saide yere, it was ordayned that none apprentice sholde be recevid into the franchiseis or libertie of this citie, las<sup>2</sup> than be pay xl. s. and his fees, and that he be of goode name and fame provid by his maister, being vii. yere his apprentice.

And al othres that will desire the said libertie, whiche have not bene apprentices in manere aforsaide, but foraines and densens<sup>3</sup> shal pay iii. li. and his fees, and to be of goode name and fame, knowin by Maire and counsaile, las then he wed a freman is doughter or wife; than he shal pay after the curtesy of the cite as Maire and consail will taxe him.

THE LXIII.—[A.D. 1465-6.]

Item, in the saide yere, it was ordayned ever hereafter that there sholde no manere of man of Irishe ruele and governaunce be received into the franchiseis or libertie of the saide citie, notwithstanding that he hadde wedded a citsaine or freman [h]is wife, being widew, othre his doghter, as it is enactid in auncient tyme, till Maire, and balliffs, and counsaile be fully advised of any suche and of all othres, ne no seke<sup>4</sup> man nor none other that is of evil name or fame. fol. 49b.

THE LXIII.—[A.D. 1466-7.]

Memorandum: That in vi. yere of oure saide Kyng, John Morgan Maire, Phylip Seriant and Thomas Nele, bailiffs of the saide citie, by assent of all the commynes in the dernhundred day, it was enactid ever hereafter that al manere of sensers, whiche bene fre for terme of life, as wel within lands as without, to passe the see, that if they pay not thar sens<sup>5</sup> yerly unto the balyf as they ar bounde to pay within ii. moneths after the terme of Michaelmas [during the] terme of thar lyvis:

And, then, if any suche sensere will not pay his sens in manere aforsaide, by him or his attorney, he shal forfeit his libertie and fredome which he hath by a special graunt of the Maire and commynes of the saide citie, whethre it be by endenture or only writing of recorde in the boks of the saide citie.

And if any such be founde faulti, he to pay his custume and never to be recevid unto the saide libertie againe.

Also, that al suche sensers which bene and shal be recevid in tyme commyng shal fynde sufficient suertie within the said citie or suburhes to the ballif for tyme being, that they shal yerely pay thar sens in manere aforsaide, else none to be recevid.

And, if they pay not by the forsaide day, that than thar suerties shal pay the double of thar sens, sine gratia.

<sup>1</sup> person.

<sup>2</sup> unless.

<sup>3</sup> denizens.

<sup>4</sup> sick.

<sup>5</sup> Sens, cense, assessment and taxation.

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THE LXV.—[A.D. 1467-8.]

In the vii. yere of oure forsaide Kyng, Jeames Rice being Mayre. Walter Synot and Morishe Wice, balliffs of the saide citie, it was ordayned and enactid by [w]hole assent, in the dernhundred day, that ever hereafter at thelection of Maire and balliffs yerely that every man that hath bene Maire, and every Maire [h]is pare<sup>1</sup> shal have iiij. voices.

And al balliffs and othres of the counsaile that have none office, every of them ii. men[s] voices, and that every commoner shal have his owne voice.

Also, that every Maire and Maires pare that shall goo oute of the courte to be elected in office shal have his own voice to thelection of the Maire as well as every of them that ar within courte.

And that never this acte be annulled by no dernhundred, save only by the forsaide voices.

THE LXVI.—[A.D. 1467-8.]

fol. 50.

Also, in the saide day and yere, it was grauntid and ordayned, by assent of al the comynalte of the saide citie that if any freman or citsain sue or vex any other citsain or freman by any manere writts concerning any manere action oute of the saide citie, than he that so doeth shal forfett his francheis and liberte for ever, without any grace.

Also, if any of the saide fremen or citsains sue or vex any foraine dwelling or abiding within the saide citie or suburbes by any writts in manere aforsaide, he shal forfett his saide liberte and francheis.

And, also, if any of the saide forains sue or vex any other foraine. citsaine or freman,<sup>2</sup> duelling there in likewise oute of the said citie, than he shal pay to the reparation of the wallis x.l.s., as ofte tymes as any suche shalbe found faultie, or more as the case shall requyre, after the discretion of Maire and balliffs for tyme beyng.

Provided that this acte be not prejudicial ne hurt to no parson<sup>3</sup> nor parsones that bene refusid of right within the courte of the saide citie.

THE LXVII.—[A.D. 1467-8.]

In the saide day and yere, it was grantid and ordayned by the assente of al the comynalte of the said citie for ever more, that whatsoever manere frere of thordre of thospital of Sancte John in Jerusalem, constituted in al the lande of Irland, owith any money or hath borowid or lende<sup>4</sup> any goodes of any citsaine, freman or foraine duelling within the saide citie or suburbes, or hereafter wil owe othre lende in likewise, and if he will not pay his detts, when case required, that then lawfully every man may arreste every suche frere by his owne body and goodes, where ever they may be founde or any of them so owing dette and goodes, in manere aforsaide, within the francheis and liberte of the said citie, and ther to sue hym and every suche in courte after the ordinance of the said court and citie, notwithstanding that his Prioure be not named with him in the pleinte, unto tyme that al such freres pay thar detts and goodes unto the pleyntiffs at all tymes of sute.

Also al[1] manere men and women of religion in likewise to be sued, of al manere ordres, withoute any exception, thogh thar superiours be not named in the pleinte.

Also, al[1] women that borowid or lendid<sup>5</sup> any manere of goodes, or that owith any dette to any citsaine or freman of the saide citie and suburbes, if thar housbonds bene absent and can not be founde, that then lawfully

<sup>1</sup> peer.

<sup>2</sup> dwelling.

<sup>3</sup> person.

<sup>4</sup>, <sup>5</sup> taken on loan.

every suche woman may be arrestid by hir owne body and sued by the lawe into the tyme that she satisfie the pleintif of his action, without takyng delayes, las than<sup>1</sup> she be a freman [h]is wif, notwithstanding that the housbonde be nott named in the pleinte.

And also, that this acte and ordenance extende and take place and effecte in al other matires as wel of contracte and trespasse as in all premysses.

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fol. 50b.

THE LXVIII.—[A.D. 1467-8.]

Also, in the saide yere and day, it was ordayned and enacted by commune assente for ever, and never to be annullid, that no manere alienant, borne oute of thobeysaunce of the Kyng of Englande [h]is realme and lands, that is to say, Englande, Irland and Walis, be recevid into the francheis and liberte of the said citie, ne to no manere offices parteyayng to the same, las<sup>2</sup> that a citsain [h]is childe by chaunce be borne in any straunge lands oute of the saide realme and lands aforesaide.

THE LXIX.—[A.D. 1467-8.]

In the same yere, it was graunt and ordayned by the Maire and counsaile that if it shal fortune that ii. estraungers marchaunts or deynsenes take any action, that one againste that othre, befor Maire and balliffs, that then some of the beste fremen of the saide citie, after the discretion of Maire and balliffs, shal passe betwene them in a jure, if the principal of thaction and value passe xl. li.

THE LXX.—[A.D. 1467-8.]

Also, in the saide day and yere, it was ordayned and enactid by the Maire and counsaile of the saide citie that there shal none of the saide counsaile, that is now or shal be, passe in no jure betwene party and party befor Maire and balliffs, lasse<sup>3</sup> than the principal of the action passe xx. s., and that thaction parteine to one of the counsaile.

THE LXXI.—[A.D. 1468-9.]

In the viii. yere of our saide Kyng, Nicolas Devereux beyng Maire, Readmonde Roeche and John Butler, balliffs of the said citie, att the dernhundred tyme it was ordayned and enactid ever frome thensforth that there sholde be no fermes<sup>4</sup> ne termes gyven of no manere of lands belonging to the commynes of the saide citie, within nor withoute, in housen, gardains, parcks, and crofts, save only in the dernhundred tyme, or else by thadvise of the Maire and counsaile and not only by Maire and balliffs. And if any such fermes be grantid contrary to this acte, that it stand voide and of none effecte.

THE LXXII.—[A.D. 1469-70.]

Be it known that, in the ix. yere of Kyng Edward the Fourth, fol. 51. Jeames Rice being Maire, Jeames Longe and Morishe Wice [Wyse] balliffs of the saide citie, in the dernhundred day it was belefte<sup>5</sup> and ordayned by commene assent that no manere of man duellyng or abiding within the saide citie and suburbes, sill no manere of freshe fishe, that is to say, hake, heryng, and white fishe to no manere estraunger by no manere meanes save only to fremen of the saide citie, whiche he shal be knowin openly that he payed therfor of his owne proper goode.

<sup>1</sup> unless that.    <sup>2</sup>, <sup>3</sup> unless.    <sup>4</sup> leases.    <sup>5</sup> decreed.

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And if any do contrary to the said acte and ordynaunce, that then he shal pay for every meise<sup>1</sup> so solde xii. *d.*, and for every c. hacke ii. *s.*, and every burdone of white fyshe ii. *s.*, the third parte to the Kyng, the thirde to the officers, and the thirde parte to fynders, and the byer shal pay a fyne, after the taxation of Maire and balliffs.

THE LXXIII.—[A.D. 1469-70.]

In the saide day and yere, it was ordayned and enactid ever after that who ever that maketh a fray, of what estate or condition he be of, with knyf draght blodshedde, or with any other wepyn of defence, within the saide citie, suburbes, and francheis of the same, that then the parson or parsones that make suche affrayes shal be arrestid by thar owne bodyes and broght to warde there to abide without any maynpryce till it be provid which of them shal be found faultie.

And then the faultie shal remayne in prison unto tyme that he make full payment of al that he is founde faultie by enqueste or of his owne knowlege, that is to say, to putt him in grace, as Maire and balliffs wil taxe him after thar discretion.

And if ony suche affray makere be founde gilty twies,<sup>2</sup> he shal pay double withoute grace, and the thirde tyme to pay tribble, withoute any grace.

And who that ever pray, favor, or mantaine ony such affray makers shal pay for a fyne to the Kyngs werks vi. *s.* viii. *d.* as ofte tymes as ony such is founde gilty, and this to be levid without ony grace.

THE LXXIII.—[A.D. 1469-70.]

Also, in the saide day and yere, it was ordayned and enactid, by al the commynes assente, that the Maire nor constables of the Staple sholde receve no manere of man into the fredome of the same withoute thadvise of the marchaunts of the Staple whiche wil be presente att the tyme of congregation, and in especial of x. or xii. of the counsaile.

And that no man be recevid marchaunt of the Staple, lasse than shal be he be a freman sworne of the saide citie and of English nacion, or else to have his liberte of the Kyng.

And no manere of man by noo freshe hyds within the jurisdiction of the saide staple, save only marchannts of the same whiche shal be admyttid by the Maire and constables of the saide Staple lawfully to by and syll.

And that no manere of man by no manere of freshe hyds above x. *d.* an hyd, within ony place where the Staple hath jurisdiction, by him ne by none other in his name, upon forfeitur of al the hyds<sup>4</sup> bought and solde, and thar bodies to pryson till they make a fyne after the taxation of the Maire and constables of the saide Staple.

And that none by salte hyds above x. *s.* a dicker, upon the saide payne and forfeitur of thar liberte of the Staple.

THE LXXV.—[A.D. 1469-70.]

Also, in the saide yere and day, it was ordayned and establid ever hereafter by the Maire and commynes, in the dernhundred day, that if hit happe that ony citsaine or commner<sup>5</sup> duelling or abidyng within the sayde citie or suburbes by cheaunce kyll other slee ony man, what nacion he be of, Englishe or Irishe, in defence of the citie, or in his own, wherever he be, as for the right of the citie, so that it be proved by goode evidennce that it be not affray made of purpose or by mysse-

<sup>1</sup> measure of herrings. <sup>2</sup> twice. <sup>3</sup> unless that previously. <sup>4</sup> hides. <sup>5</sup> commoner.

advised men, whiche bene provid afore of suche ruele,<sup>1</sup> and not for the right of the cite, ne in defence of it, that than all suche slaghts<sup>2</sup> and kylling done in defence, helpe, and supportacion of the cite, if ony suete or chalange be after ony suche so done in commene or in speciall for ony amends, the saide Maire and commynes will and graunte, if nede be, the amendis to be made that it be equally devided upon Maire and commynes every man after his porcion bothe pore and riche, and that by foure ceassoures chosin by the Maire and counsaile for tyme being.

And if ony man duelling within the saide cite or suburbes make ony affray, manslaughter[er], othre kylling, by his owne foly and not in defence, ne for the right of the saide cite, in manere aforsaide, that then he, that doeth so, stand to his own foly. And to this ordinaunce afor writtin, the saide Maire and commynes byndith them yontly [jointly] and severally to stand by this acte att al tymes by thar might and poer [power] without ony contradiction.

## THE LXXVI.—[A.D. 1469-70.]

In the saide yere and day, it was ordayned and enactid by the saide Maire and commynes that there sholde be no gentleman [h]is child of Irishe ruele of all the counties aboute the cite be fusterid<sup>3</sup> nor kepte in sojorne within the saide cite ne suburbes by no manere of man ne woman duellyng or abidyng in the same ever hereafter without that the keper of the childe fynde sufficiant suarte within the saide cite to Maire and balliffs for time being to save the cite lostlesse agaynste al men that will sue or make ony chalaunge for ony suche childe, what ever fortune of hym wthin the saide cite or suburbes, and this on payne of losyng of his frauncheis whosoever doo the contrary ; and also shal pay to the reparation of the wallis, after the taxation of the saide Maire and balliffs.

And if it hap that ony pray or robbery be made on the cite or suburbes for ony suche cause, than then the keper of the childe shal make amendes for the trespassse so done to the owner of the goods, lasse [unless] the suete makere will sue him that hath done the offence, after the course of the commene lawe.

## THE LXXVII.—[A.D. 1469-70.]

Also, in the saide yere and day, it was ordayned and enacted for ever hereafter, by commene assent, that there sholde no oute commes man nor strangere be recevid freman into the liberte of the saide cite unto tyme that he be abiding and duelling<sup>4</sup> thre yere housholdere in the saide cite or suburbes that the Maire and commynes may knowe of his ruele,<sup>5</sup> conversation, and governaunce, and specially of his goode gydyng.—And if he be of Irishe blode, that than he have his liberte of the Kyng, or [e] ever he putte in his petition into the dernhundred to be fre, and if it fortune that ony oute commes man or strangere other ony of Irishe blode, of what estate or condition he be, marylle or make ony contracte with ony fre widow or citsaine [h]is doughtre from the hieghest degree to the louest, or he be abyding or duelling, other have his liberte in manere aforsaide, that then the liberte and frauncheis of the saide widewe and doughtre stand voide and of none effecte, butt as all othre strangers.

And if the widew or the citsaine [h]is doughtre fall in ony fornication without matrimony, that then they lose thar liberte withoute ony grace.

<sup>1</sup>, <sup>5</sup> behaviour.<sup>2</sup> slaughters.<sup>3</sup> fostered.<sup>4</sup> dwelling.

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And also if any apprentice or any other abiding or duelling within the saide cite or suburbes, of Yrishe blode and nation callid or provid, desire the liberte and franchise of the saide cite, that firste he shew his liberte of the Kyng undre seale er[e] his petition be recevid or admyttid, and that he be of English aray, habite, and speche, to kepe tholde ruck and ordynnaunce hensforward of the saide cite.

THE LXXVIII.—[A.D. 1470-1.]

fol. 52b.

Be it knowin that in the x. yere of the reigne of our saide Kyng, the forsaide Jeames Rice being Maire, Richarte Strong and Roberte Walshe, balliffs of the saide citte, in the dernhundred day it was by commene assent ordayned and enactid that every citsaine and freman of the saide cite sholde have sufficient harneys<sup>1</sup> and hand wepyn,<sup>2</sup> every man after his degree, as he ought to have admyttid able by Maire and officers for tyme being yerely for himself and his men.

And all tho[se] that hath not sufficient harneys, ne hande wepyn, at the making of this acte, that they all and every of them have it by the feste of Ester and Myghelmas nexte folowing this present date, upon payne of the losing of thar fredome and frauncheis if any suche be found faultie by the saide festes, that is to say every freman, be he never so symple, shal have a jack<sup>3</sup> and a sallet,<sup>4</sup> or an harburion<sup>5</sup> and a sallet or a basnet, with sufficient hande wepyn whiche he can occupy beste, upon the saide [penalty] without any grace.

THE LXXIX.—[A.D. 1470-2.]

Also, in the forsaide day and yere, it was enactid and ordayned, by commune assent, that who that ever marchour,<sup>6</sup> be he Irishe or English not beyng ripe to sue by the kyngs lawe, as case requyryth in cities and townes thar actions after fourme of lawe, therfor by the saide commune assent it is ordayned and establid for ever hereafter that if sach marchours take any chalaunge or action againste any man duelling within the saide cite or suburbes of the same in any manere chalaunge or action of dete. covenant, trespasse, or any other action, if the defendaunt be knowled of thaction at the makere [h]is suete,<sup>7</sup> than the Maire for tyme being shal commytte him to warde unto tyme that he satisfy hym that takith thaction of him by his owne knowlege.

And if any deny it, that thaction is not trewe, than the Maire shal take examination of the matires, as well within courte as withoute, and then by evidennce of both parties after his discretion, he shal gyve awarde in al suche matiere as it semeth him beste after thar evidennce by the advice of iii. or iiij. of the counsaile, whiche the Maire will call to hym.

THE LXXX.—[A.D. 1471-2.]

fol. 53.

In the xi. yere of the saide Kyng, Pierco Hunte, Maire, Jeames Sherlok and Pierce White, balliffs, it was ordayned and enactid, by commune assent, for ever hereafter, that there shal no manere of man, woman, ne childe, duelling<sup>8</sup> or abiding within the saide cite, suburbes and franchise of the same, purchace nor sue any protection undre the Kyng's seale, for hymself and his goodes, and to delay all othre actions upon payne of forfeiting of thar fredome and franchise for ever; if any freman sue or purchace any suche protection, he shal pay a fynne after the discretion of the Maire, balliffs, and counsaile for tyme being.

<sup>1</sup> armour.    <sup>2</sup> weapon.    <sup>3</sup> coat of mail.

<sup>6</sup> dweller on the borders.

<sup>4</sup> helmet.

suit.

<sup>5</sup> haubergeon.

<sup>8</sup> dwelling.

And if he be no freman, that he pay the same fyne, if he be able, else to be expulsid oute of the cite for ever, withoute ony grace.

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THE LXXXI.—[A.D. 1471-2.]

In the saide yere, it was enactid and ordayned by the saide Maire and commynes that if it happe that ony man duelling within the saide cite or suburbes be bownde in a viage to passe the sea that there shal no man ne woman duelling within the same, have him arestid for no manere action, the day of his sailing, so that thactour be full come (*sic*) and hath witting that the defendaute is bownde in his viage afor the day of his sailing, or else that ony suche be fugitif.

THE LXXXII.—[A.D. 1471-2.]

Also, in the xxiii. day of Januer, in the saide yere, it was condescendid by the Maire and counsaile of the saide cite that if ony freman or citsaine of the saide cite or suburbes be fugitif and absent and kepe him within his house to shonne<sup>1</sup> attachment or areste for all actions that att sute off the party the seriaunt shal sompne ony suche att his house, whedre he be within or noo to appere and aunswere the lawe.

And if he appere not the first day, he shal be amercid, and the seconde day in likewise and if he appere not the thirde day in courte, then he shal forfeite his franchiseis and liberte and after to be arestid within his house.

And this acte was made for a remedy of great perell and myschief that might fall hereafter and that it be executid in general to all men.

THE LXXXIII.—[A.D. 1472-3.]

In the xii. yere of oure saide Soveraine Lorde the Kynge, than James Rice then being Maire, Richarte Andrew and John Butler, ballyffs of the saide cite in the dernhundre day by commene assente for ever hereafter that if it happe that ony burgeis or ony othre man duelling and abiding within Kylkenny, Clonmell, Fydarde,<sup>2</sup> Casshel, Callan, Roesse, Youghill, Kynsale, other ony other towne that usith marchandise with the saide cite in bying and sylling with ony citsaine or marchaunt or ony other duelling within the saide cite and suburbes sholde owe ony citsaine freman or marchaunt of the cite for his marchaundise bought of ony of them, if the dettoure be fugitif and will not come to the cite openly if his wif may be founde within the saide cite the dettor absenting him in manere aforseide than [then] she shall be arrestid and kepte in wardo unto tyme that hir husbonde satisfy such as he owith or himself in proper parson to come and aunswere for hir.

fol. 53b

Provided so that the counties in circuyte the saide cite stande in like case from the hiegheste unto the lowest degre.

THE LXXXIII.—[A.D. 1472-3.]

Also, in the saide yere, the xxii. day of Januer, it was enactid, affermed and establid for ever in tyme comynge that if ony citsaine, freman, or marchaunt of the saide cite make ony bargaine with a strange marchaunt or marchaunts in ony estrange lands of ony manere marchandise what that ever condicion he be of and lade the goods there las<sup>3</sup> than al manere adventures (*sic*) be upon the saide citiesain, freman, or marchaunt from the porte that the saide marchandise is lade unto the porte of the said cite

<sup>1</sup> shun.

<sup>2</sup> Fethard.

<sup>3</sup> unless.

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withouten any fraude or collusion, that than all suche marchaundis shal be custumable in payng al manere custumes longyng to the saide cite.

And if it happe that any of the saide citsains or fremen saile in ony ship so lade into ony porte in manere aforsaide and make a bargaine without the porte in the see, contrary unto this acte, he shall pay al custumes as a straungere, notwithstandinge any adventure without ony contradiction.

And, also, if any citsaine or freman make any bargaine with ony estrangers which bene custumable and by chaunce to mete at the [sea], he shall pay custume in like wise.

And if ony citsain or freman make ony bargaine with ony marchant within ony porte of this land of Irland, England, or Wales, and bring his bargaine to the porte of the saide cite ad his owne adventure, he shall be free of his custumes.

Provided at all tymes the cockett [be] exceptid in al manere bargaine.

THE LXXXV.—[A.D. 1473-4.]

In the xiii. yere the forsaide reigne, Wylliam Lyncoll beinge Maire Richarte Strong and Patricque Rope, ballyffs of the forsaide cite, it was ordayned that who so ever man or woman have swyne walkyng in the cite or suburbs, if thei walk within the cite or brek men[s] garde and parks within the francheis of the same or do ony hurte that they shalaine without ony enpechemennt.

THE LXXXVI.—[A.D. 1473-4.]

fol. 54.

In the forsaide yere, it was ordayned that the seriaunt callid vigiler or wakman of the said cite sholde not have his sallary at one terme in the yere to Cristemasse, but only a peny att every quarter during the yere.

THE LXXXVII.—[A.D. 1473-4.]

Also, in the saide yere, it was ordayned and established by the assent of all the comynaltie for ever hereafter that no manere of man duelling within the saide cite and francheis of the same shal goo awarre nor victaile no shippes of warre in no wise ne none othere maner veshell greate ne smale a war viage nethre by no manere of colouir or gyve, lende, or syll unto them no manere [of] harneis nor wepyn without licence of Maire, balliffs, and counsaile, and fynding sufficient suerties within the said cite that they shal do no harme ne hurte to none of the Kyngs liegmen nor peasmen, and that they brek not the Kyng's sauf conduyte, nothre the francheis and privilegis of cities and townes, nor none acts made by Parliament in this lande touchyng the same, ne the Kyngs lawis in noo wise upon payne of c. li., as ofte as ony be founde gyilty and every of them to pay the same payne, withouten any grace, half to the Kynge, and that othere to the officers and forfeitures of the same.

And he be a freman, he shall forfeite his liberte and fredome for ever, and also to make goode of all the losts<sup>1</sup> that is done, withouten any grace.

And, if it fortune that ony goo agaynste ony of the negbores of the saide cite to succoure them at tyme of nede, that they do no hurte during the tyme, upon the same payne, lasse than it be in thar owne defence as right will, afre the discretion of the Maire and balliffs for tyme beyng, with some of the beste of the counsaile, nethre that none of

<sup>1</sup> damages.



the peasmen of the saide cite ne frauncheis do no hurte upon none of the saide men ne goods, upon the saide payn.

And, if any parson avoide for the saide deade<sup>1</sup>do yng, not abiding punyshment ne correction after the forme aforwritte, that than his wif and childer be sett oute of the cite and frauncheis for ever, and all his goods, movable and unmovable, be kepte for the saide offences so done in manere aforsaide, and that none counsaile, supporte, nor pray for none of them in no wise, upon the saide paynes, and to be attached and empechid to the Kyng and his Counsaile in England, or to his Lieutenaunt or Justice with Consaile and Judges in Irelande.

THE LXXXVIII.—[A.D. 1474-5.]

In the xiiii. yere of the saide reigne, Jeames Rice being Maire, Thomas fol. 54b. Broun and Geralde Lyncoll, balliffs of the saide cite, it was ordayned and enactid that no manere man nor woman procure nother<sup>2</sup> take away no childe, that is to say, son othere<sup>3</sup> doghtre, or apprentice, or servaunt of any citsayne of the cite beyng within the eage of xx<sup>4</sup>. yere, withoute leve and suffraunce of fadre and modre, othere maistre, if they have any lyving, and, if they have none, then to have leve of the nexte cosyne, that any suche yonge parsones have within the cite, and whosoever do agaynste the saide ordenaunce, he shal pay an c. s. to the fadre and modre, or maistre other<sup>4</sup> his nexte cosyn. And that the fadre or modre othere cosyn may lawfully have an action of dette agaynste them that procured or taketh away any suche yong parsones<sup>5</sup>, as it is afor rehersed.

THE LXXXIX.—[A.D. 1474-5.]

Also, in the same yere, it was ordayned if any man or woman of the saide cite bye rodders<sup>6</sup> or any othere marchaundise custumable beyonde the ryver, othere in this syde of the ryver, within the laynth of a myle unto the cite, that all tho that bieth any suche rodders, or marchandise, shal pay the duhe custume of all suche unto the King [h]is ballyffa.

THE XC. ACTE.—[A.D. 1474-5.]

Also, in the same yere, in the dernhundred day, it was ordayned and enactid that if any man or men within the saide cite othere suburbes make any insurrections or a rysyng att any time hereafter with force and armes agaynste Maire, ballyffs, and counsaile, than that all suche reysers<sup>7</sup> be banyshid for certaine yeres oute of the cite and suburbes, and to make a fyne every of them accordyng unto the discrecion of the Maire and counsaile.

And that the principal rysers be banyshed oute of the cite and suburbes for ever more.

THE XCI.—[A.D. 1474-5.]

Also, it was ordayned and establid in the forsaide day and yere that if any man or woman dwellyng or abidyng within any shoppe of the saide cite, othere suburbes of the same, receive other take to syll of any man [h]is son, doughtre, servaunt, or apprentice, salte, yronn, silk, saffronn, whete, malte, fishe, fleshe, brede, ale, candells, or any other fol. 55. goodes or marchaundise, that than the parson and parsones that recevid suche goodes to syll, or they or any of them make any sales of any parte of the same, that they and every of them shall tell to the maister and maistresse of suche parsones as delyvered them the forsaide goodes to syll, that they have recevid such goodes of them.

<sup>1</sup> deed-doing.    <sup>2</sup> nor.    <sup>3</sup>, <sup>4</sup> or.    <sup>5</sup> persons.    <sup>6</sup> horned cattle.    <sup>7</sup> risers.

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And if they and every of them declare and tell it not, as it is aforesaid, that then the man or woman that will not doo so, shall be banyshed oute of the citie and suburbes, if it be so provid.

And to make a fyne, after the discretion of the Maire and ballyffs, for tyme beyng, and every man that fele<sup>1</sup> hym grevid, to have his action agaynste them, and every of them, upon the same.

THE XCII.—[A.D. 1475-6.]

In the xv. yere of the saide reigne, the forsaide Jeames Rice being Maire, William Lunbarde (*sic*) and Richarte Strong, balliffs, of the saide citie, it was ordayned and enacted, by commene assent, in the dernhundred day, ever hereafter, that no manere man, woman, nor childe, putt no manere dunge, ramell<sup>2</sup> or fylth into the ryvere over no key nor slippe of the citie, ne into Saynte Mary strete, nether into the Kyngs ditches, nor beside them from the marckette crosse unto Arondelis gate, upon the payne of iiii. *d.* tociens quociens, to be levid by thofficers and by every of them, juncte and severall, to thar owne use, withoute any accompt or onpechmente for ever.

THE XCIII.—[A.D. 1477-8.]

fol. 55b.

In the xvii. yere of the forsaide regne, Jeames Sherlok, being Maire, Patrick Rope and Patrick White, ballyffs off the saide citie, in the dernhundred day, by Maire, counsaile, and commynes, it was ordayned and enacted that all the gates by all the keyes<sup>3</sup> of the citie att vi. of the clock be made faste every night from Mighelmasse unto Ester, and that every night from Ester unto Mighelmasse att ix. of the clock.

And that none of the saide gates be opened by night after the saide houres unto daye, withoute licennc of the Maire for tyme beyng.

And who shall doo contrary unto this acte, shal pay to the Maire and balliffs vi. *s.* viii. *d.* as ofte tymes as he be founde faulty.

THE XCIII.—[A.D. 1477-8.]

Also, in the same yere and day, it was ordayned and enacted that what ever price the Maire putt upon the corne, if any manere man or woman will pass that price in bying of corne, that he or she that doeth shall pay of payne for a bushell att every tyme vi. *d.*, iiii. *d.* thereof to be gyvin to the parson, be it man or woman, that espieth him or her that doeth contrary to the said ordynance, and that othre iiii. *d.* to the officers.

THE XCV.—[A.D. 1477-8.]

Also, in the saide yere and day, it was ordayned and enacted if any man or woman sill<sup>4</sup> fleshe within the citie or suburbes till it come to the Kyngs sheambles, and there be praysed,<sup>5</sup> it shal coste him that soo doeth xii. *d.* at every time that he is founde faultif.

And, also, after that the flesh is praysed,<sup>5</sup> if that he sill<sup>6</sup> it derrer than it was praysed<sup>7</sup> it coste the siller xii. *d.* at every time that he is faultif the penaltees to be devidid as afor is saide.

THE XCVI.—[A.D. 1477-8.]

In the same yere and day, it was ordayned and enacted that thelection of the constables of the suburbes of the saide citie shal be ever from thensforwarde, in the dernhundred day, in the Gildehall, and that to be chosyn by the Maire, balliffs, counsaile, and commynes.

<sup>1</sup> feel.    <sup>2</sup> dirt.    <sup>3</sup> quays.    <sup>4</sup> sell.    <sup>5</sup>, <sup>6</sup>, <sup>7</sup>, appraised.

And that the saide constables so choosyn be of goode and honeste conversation in the saide suburbes duelling, and that they can spek goode Englishe, and the saide constables to have every yere to every of them of the Maire and commynes iii. yards of Englishe clothe, to make every of them a gowne, and that the said constables werre Englishe aray duelye.

THE xcvi.—[A.D. 1477-8.]

Also, in the same yere, it was concludid by the Maire and consaile of the saide citie that where as dyverse tymes thofficers of the same citie, as Maire, balliffs, and Recorder, enduryng the yere of thar offices, hatho often tymes gone in viages and journayes, as wel into Ingland, Flaundres, Portyngale, and othre countries beyonde see [sea], as into othre dyverse cities and townes, within the same lande of Irland.

Wherfor the saide Maire and counsaile consydering and advertising the great daungere and parell that the citie stand in dayly as wel by the King's Inglish rebollis as his Yrishe enemees envyrone rounde aboute the same, and also how that, by thabsente of the saide officers, the saide citie might staunde in greater daungere and perell, it was enactid and fol. 56. establid, by thassent of the saide Maire and consail, what so ever parson berryng the cure of any of thes officis aforseide, enduryng the yere of his office, will goo in any viage or iournay without licennce hadde of the Maire and consaile of the saide citie, that then suche parson or parsones as soo doo shall forfett and forgoo the liberte and fraunches of the saide citie, and shall pay x. li., without any grace. And also shal save the citie lostles agaynst the Kyng or any of his mynestres in all actions by reason of the saide absente.

Also, that no ballyf enduryng the yere of his office shall passe nor excede the fraunches of the saide citie by land nor by water, to abide oute a day and a nyght without licennce of the Maire for tyme beyng.

xcviii.—[A.D. 1477-8.]

Also, in the said yere, it was ordayned and enacted by the saide Maire and counsaile that eache man that is ownere of the keyes<sup>1</sup> of the said citie shall make a grate of yren<sup>2</sup> for the yate [gate] of his owne key, in this wise, the yren upon the owners coste, and the makyng upon the commene cost of the citie.

And what so ever he be that have a key and will not so doo, that it be lawfull to the Maire and ballyffs to stoppe the saide key yate with lyme and stone, unto tyme that the saide grate be made as it was belefte.<sup>3</sup>

And who so ever will opyn or disclose any of the saide yates so stopped shal pay x. li. to the citie for a fyne to be employed upon the werck of the citie.

xcix.—[A.D. 1479-80.]

Be it knowin that in the xix. of our saide Sovereine Kyng Edwarde the iiiii<sup>th</sup> the Nycolas Devereux beyng Maire, Philip Bryan and Thomas Porter, ballyffs of the saide citie, it was ordayned and establid by thadvise and counsent of the hole counsaile of the citie that for ever in tyme commyng what so ever parson<sup>4</sup> or parsones, dwellyng and abiding within the fraunches of the same citie be bounde in suertie of the peace in any of the Kyngs courts in Irland, and that thei kepe not the peace by force of the same suerte,<sup>5</sup> or that it may be undrestande in any

<sup>1</sup> quays.    <sup>2</sup> iron.    <sup>3</sup> ordered.    <sup>4</sup> person.    <sup>5</sup> surety.

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fol. 56b.

manere wise that they or any of them entende or purpose to breck the peace, or any parson aske and desire suerte of the peace of them in lawfull cause and manere, that then it shall be lawfull to the Maire of the cite for tyme being, as Justice of Peace, to take and receve sufficient suerties of peace, dwelling within the cite, of the forsaide parson or parsones.

And if any of them clayme to be free and att large by any superseas or other meene suerties founde oute of the frauncheis of the cite, that he that so doo shall lose his fredome, if he be a freman, and over that he shall pay a fyne, afre the discretion of the Maire and balliffs.

And, also, if it be thoght goodlye by the advise and discretion of the counsaile of the cite, he shall be putt in exile out of the towne for ever, and that the same acte and penalte extende as well against foraynes dwelling within the cite as againste fremen.

c.—[A.D. 1480-81.]

In the xx.<sup>th</sup> yere of Kyng Edwarde the Fourthe, Jeames Rice being Maire, Foucque Quemerford and John Shalwey, balliffs of the saide cite, it was ordayne and establid by the [w]hole commene assennte for ever in tyme comyng for asmuche as divers parsones within the cite and franchises of the same have divers landes, tenements, rentes, and services, and other possessions in fee symple, fee taile, for terme of lif, and for terme of yeres, by the feftmentes, gifts, graunts, and lessees made unto them, thar hairez and assignes, of the Priour and freres of Saynt Johns of Jerusalem, in Irland, the Prioure of Baethe,<sup>1</sup> the Prioure of Saynt Johns of Waterforde, the Priour of Saint Katerins, thabbot of Donbrothy,<sup>2</sup> the Abbot of Tynterne, the Deane and Chapitre of the Trinite Chirche of Waterforde, the House of Saynt Stephens, of the same, and of dyvers othre places, seculers and religious, the whiche contrary to goode consciennce and to thar owne said grants have sued divers byllis of resumpcion, and acts of Parliamente made upon the same to have thar forsaide feftments, gifts, grants, and lessees made voided and resumed agayne into thar owne hands, in greате disceite, hurte, and damage of suche parsones as had the saide feftments, yefte, graunts, and lessees.

fol. 57.

Wherfor it was enactid, as afor is saide, that if any resumption be made by the auctorite of Parliament for any of the saide Priours, Abbots, Deanes, Chapters, or othre maistre or maistres of the saide houses or for any of thar successours, or for any other in time comyng so that thar saide feftments, yefte and grants be resumed by the same and that no parson nor parsones of the saide cite and franchises receve nor take eastate of fee symple, fee taile, for terme of lif, for terme of yeres, nor att will of noo parcell of the saide landes, tenements, rents, services, or of any othre possessions so resumed, and that no parson nor parsones dwell nor abide in noo house nor tenement of the same, nor occupy noo gardeine, nor myll, nor noo othre manere thing that longith or appartayneth to the same, without the goode will and free licennce of hym or them that occupied the same befor they were resumed.

And that none of them move nor enduce none of the saide Priours, Abbots, Deanes, Chapters, and maistres to make nor sue any suche resumption. And if any man doo the contrary of the premysses, or any of them, he that so doo shall pay an c. *li.*, without any grace, half to the Kyng, and half to him that leseth his possession by the saide

<sup>1</sup> Bath.

<sup>2</sup> See account of Dunbrothy or Dunbrody, Co. Wexford, in *Chartularies of St. Mary's Abbey, Dublin*, vol. II. Rolls series, 1884.

resumption, and that the partie for the same may have an action of dette befor Maire and Ballyffs, and if he be a freman, he shall lose his fraunches and a foreyne shall be exilid and abjured oute of the citie and suburbes for ever.

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ci.—[A.D. 1480–81.]

Also, in the same day and yere, it was ordayned and enactid by the [w]hole counsaile and commynes, that, for ever in tyme commyng, every Monday nexte after Holy Rode day of Exaltation,<sup>1</sup> all the counsaile of the saide citie then being and restyng within the same shall appere personally att the knollyng of the bell in the chappell of Jesus beside the Trinite chirche, and there to hire [hear] and abide a Masse of the Holi Goste solenny sayde and song with duhe observaunce. The which so song and endid, all the saide counsaile and every of them holy<sup>2</sup> shall procede immediatly from the same chappell to the Gildehall of the citie, there to elite<sup>3</sup> and chose Maire and Ballyffs for the yere nexte folowing, according with the goode olde and laudable custume of the citie.

And who so ever make default, and appere not att the saide Masse, without a reasonable cause, goode and lawfull, awardid by the Maire, he shal pay a fine of xl. d., withoute ony grace.

cii.—[A.D. 1480–81.]

Also, in the same day and yere, it was ordayned, establid, and concluded, by the [w]hole commene assente and agrementt of al the counsaile and commynes of the saide citie, that no parson nor parsones dwelling within the same citie or fraunches of it, whatever condicion or degree that he or they be of, yeve,<sup>4</sup> sill,<sup>5</sup> or lende, or in any othre wise, make alienation of ony crosbow or crossbowes, quarrelles,<sup>6</sup> gonnes, small nor fol. 57b. greate, nether gonnepoulder, to no parson<sup>7</sup> nor parsons dwellynge nor abiding withoute the saide citie and fraunches of the same in any towne or countre, Irishe or Inglishe, withoute licence of Maire and counsaile for tyme beyng.

And that no marchaunt of the citie shall bryng none of the saide ordenaunces oute of no countre beyonde the see, to be solde nor gyven to no parson nor parsones dwellyng without the saide citie and fraunches of the same; and that no estraungere by nor syll none of the saide ordenaunce within the citie upon payne of forfecture of the same.

And who so ever doo the contrary of the premyssees, or ony of them, and is atteynted thereof, if he be a freman of the citie he shall lose and foregoo his fraunches and incurre the paine of xx<sup>d</sup>. li., att leste, or more, after the discretion of Maire and balliffs, if they undrestande that the trespass so requyreth.

And if he be a foreyne,<sup>8</sup> he shall incurre the same payne, or more, as afor is sayde, and his body to be enprysoned till he satisfy the same xx<sup>d</sup>. li., and then to be hanyshed and abjured out of the citie and franchises for ever.

ciii.—[A.D. 1480–81.]

In the xx<sup>d</sup>. yere of the said reigne Jeames Rice beyng Maire, Foucque Quemerforde and Philip Bryan, balliffs of the saide citie, it was ordayned and establid by the Maire and commynes that from thensforwarde that no manere freman of the citie shall dwell nor abide without the citie by no contynuell resydennce, but that the moste speciall and con-

<sup>1</sup> Festival of the Exaltation of the Holy Cross, 14 September. <sup>2</sup> wholly.  
<sup>3</sup> elect. <sup>4</sup> give. <sup>5</sup> sell. <sup>6</sup> arrows. <sup>7</sup> person. <sup>8</sup> foreigner.

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tynuall residence and principal resorte of him, and of his wif, be within the citie, att discrecions of Maire and ballyffs and counsaile, and that viages beyonde see, pilgrymages, seknesse, fleying of pestilence, be excepted.

ciii.—[A.D. 1480–81.]

Also, in the same yere, it was ordayned and establid by Maire and commynes that from thensforwarde there shal be no Maire nor ballyffs chosen to bere the office of Maire nor ballif ii. yere immediatly afre othre, but that he that is chosen Maire, and they that be chosen ballyffs one yere, shal not be chosen nor taken to none of the said offices without they have one yere void<sup>1</sup> betuxt, at leste.

cv.—[A.D. 1480–81.]

fol. 58.

Also, in the same day and yere, it was ordayned and establid by the commene assente that all suche lordes as have gutters betuxt thar houses, he that is willyng to amende shall kepe uppe and repaire thar gutters.

And if there be any defaulte in any gutter betuxt thar houses, he that is willinge tamende<sup>2</sup> and repaire his parte of the gutter shall desire and require his partener, to whom half the gutter appartained, to repaire and amende his half of the same.

And, if he do not so att his requeste, after a monethe [h]is warnynge, he that is wyllyng to repaire his owne half, shal repaire and amend the [w]hole gutter upon his owne coste, and take of that othre that refusith the reparacion of his half ii.d. for a penny for the somme that he spende upon the same, and to have an action of dette for the same agaynste him withoute any delayes to be taken therein in courte.

And if the lorde of the house that is so founde in defaulte be not duelling in the citie, the rennt of the nexte terme folowing shall be arrestid in the tenannts hands that duellith in the same house to be delyvered to him that doeth the sam coste upon that gutter, and so from terme to terme unto tyme he be satisfieth of the some so employed upon the reparacions of the same gutter.

cvi.—[A.D. 1480–81.]

Also, in the same yere it was ordayned and establid that from thensforwarde every man, of what ever condicion or degree he be of, spirituall or temporell, that owith any rentte or longable<sup>3</sup> to the Kyng, within the citie or suburbes, or for any of the oute lands, shall come and pay his rennts and longable<sup>4</sup> to the balif recever, for tyme beyng, or his attorney, on Twesday and Wennysday in Wittson wicke.

And that every man that owith any suche rennte on longable<sup>5</sup> shall com in to the ballif and present him his payment, the two dayes forsaide, or within, so that the laste parte of the payment be made the saide two dayes.

And who so ever faile herof he shall pay double the some that he owith of rennte or longable.

And that it be lawefull to the ballif or his attorney to have an action of dette agaynste hym that is soo behynde withoute any delayes to be taken in courte for the same.

cvi.—[A.D. 1482–3.]

fol. 58b.

In the xx<sup>ii</sup> yere of the forsaide reigne, John Butler being Maire, Waltere Waddyng and Thomas Sheethe, ballyffs of the saide citie, it

<sup>1</sup> void.

<sup>2</sup> to amend.

<sup>3</sup>, <sup>4</sup>, <sup>5</sup>, landgable.

was accordid by the Maire and counsaile that the mesureres and gedderers<sup>1</sup> of the paymentt sholde be putte in certayne of thar laboure for tyme commyng for gadderyng of paymentts. That is to witt, that they shall have of the marchaunt estraungers for whom they gaddreth paymentt ii. d. of the li. of an c. li., and within. And of every li. i. d. till the some of goodes come to ii. c. li. And if the goode[s] excede the somme of ii. c. li., then they shall take i. d. of every li. up and downe of the firste c. li. and all.

## cviii.—[A.D. 1483-4.]

In the firste yere of the reigne of Kyng Rycharde the iiide, James Rice being Maire, Philip Bryan and Patricque Morgane, ballyffs of the cite of Waterforde, for asmuche as it have bene considerid how dyvers parsones<sup>2</sup> of the saide cite and suburbes of the same be usid and acos-tumed to bie<sup>3</sup> moche hervest corne, whereby they offendid God in the commyttyng of usurie, and also regratid the markett of corne, to the greate hurte and intollerable prejudice of the comynes :

It is ordayned, enactid, and establid for ever in tyme commynge, by commene assente of the counsaile and commynes, in the dernhundred day, that no parson<sup>4</sup> nor parsons dwellyng and abydyng within the cite and suburbes of the same, what ever eastate or condition he or they be of, bie no bussell of hervest corne from hensforward bifor hand att no lower price nor value than it shal be worth betwixte Myghelmasse and Hallowtide, the same yere.

And if ony parson or parsons do the contrary herof, and be therof convictid, it shal be lawfull to Maire and ballyffs for tyme beyng to take and forflect the same hervest corne so boght and to shyfte ond distribute it upon the commynes att the price and value then of the corne, and to amercie the parson and parsones so founde giltye, after thar discretones.

## cix.—[A.D. 1483-4.]

Item, in the saide yere, it was concluded and enacted, by the assente of the [w]hole counsaile, that what so ever parson or parsones of the saide cite, will make assemble congregation or moustre<sup>5</sup> of people to take ony pledge or dystresse, or to take ony man by his body in the countre<sup>6</sup> by lande or by water par force and armes, without licennce had of the Maire for tyme beyng, that they or he that doo the contrary shall pay x. li. without ony grace, and, if he be freman, he shal lose and fofreite<sup>7</sup> fol. 59. his fredome and fraunches of the cite.

## cx.—[A.D. 1484-5.]

In the seconde yere of the saide regne, Rychart Strong beyng Maire, Pierce Forister and Rychart Walshe, ballyffs of the saide cite, it was enactid, in the dernhundred day, by the commene assent that no parson nor parsons shal make no sepulture or grave to be made or dyggid within the Trinite Chirche, without a special lycennce hadde of the Procuratours of the same for tyme beyng, except such parsons of the cite as hath thar certaine sepulture in the same.

And what somever parson or parsons make ony suche sepulture or grave, that he or they shal repaire the same againe withe tyle stones at thar owne coste by a monethis ende, att leste, upon paine of vi. s. viii. d. to be emploied to the reparacion of the churche.

<sup>1</sup> gatherers.<sup>2</sup>, <sup>4</sup> person, persons.<sup>3</sup> buy. <sup>5</sup> muster.<sup>6</sup> country.

cxii<sup>th</sup>.—[A.D. 1484-5.]

Also, in the saide day and yere, it was enactid by commene assente that what so ever parson or parsons, man, woman, or childe, brecke othre<sup>1</sup> perishe ony glasse wyndew or wyndewes, or ony parcall of tham, of ony church or cheapell within the citie or suburbs, and is attaynted therof, that then it be lawfull to the procuratours of the same to leve and seise vi. s. viii. d. of such parson and parsons as bene founde fautif in the same.

And if he be a childe of none eage<sup>2</sup> that thaction may be concevid and taken by the procuratours agaynst the fadre or modre or such frends as have him in rule and governaunce.

cxiii<sup>th</sup>.—[A.D. 1485-6.]

In the firste yere of the reigne of Kyng Henry the Seventh, Jeames Rice being Maire, John Lyncoll and Henry Fagan, ballyffs of the saide citie, it was ordayned and astablid by commene assente that from hens-forwarde noo shereman othre frizers and tesellers dwellyng or abydyng within the citie and suburbs of the same shal syll no manere fryse, nor mantill to no manere foreyne, nor none of them shal make no bargaine ne price therof excepte the fryse and mantill whiche is made within thar owne houses, and is thar owne propre goode.

And if thei or ony of them do the contrary herof, he shal pay for a fyne half the value of the goode that is solde the iii<sup>de</sup> parte to the Kynge, the iii<sup>de</sup> to thofficers, and the thirde to the spyere and fyndere of the same.

cxiii<sup>th</sup>.—[A.D. 1485-6.]

tol. 60.

Also, in the saide yere, it was ordayned and agreed by the Maire and consaile that no manere man of the saide citie, from thys tyme forwarde, sholde bie nor sill<sup>3</sup> with no manere parson<sup>4</sup> or parsons being in ony shippe a warre by the see,<sup>5</sup> contrary to the Kyngs entente, and that spoiled, robbed, or taked ony of the Kyngs liege men or ony othre of his amytie and peace.

And who so ever doo the contrary shall forfeet and lose al such goodes as he or they bie or syll, if it may be founde, else the veray value of the same.

Also, that no manere man victaile, nor make to be victailed, none of the saide men of warre, nor receve nor kepe them in thar houses, withoute speciall licennc of Maire, ballyffs, and iii. or v. of the principal of the counsaile, upon payne of x. li., tociens quociens.

cxiii<sup>th</sup>.—[A.D. 1485-6.]

Also, in the saide yere, it was ordayned and establid by the commene assente that no manere parson of the citie, or suburbs of the same, bie noo salte hydes aboute xiii. s. iii. d. the dicker,<sup>6</sup> nor freshe hydes aboute xiiii. d. the hyde, nor the yerd of no manere frise above iii. d. the yerde, in no towne nor place within the countees of Waterforde, Kylkenny, Tyberary, Weysforde, and Catherlaghe, upon thes paynes, for every hide bought aboute the saide price xii. d., for every dicker x. s., and for every laste x. li.; and the value of the fryse in lick manere, if they passe in payment the price aforsaide.

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<sup>1</sup> or. <sup>2</sup> nonage. <sup>3</sup> buy nor sell. <sup>4</sup> person. <sup>5</sup> sea. <sup>6</sup> A quantity of ten hides.



And for the more streite and duhe<sup>1</sup> observyng of this saide acte, the Maire, consaile, and commynes, bene sworne all and singlerly solenny on the bocke to bie noo hydes, fresh nor salte, nor frise, above the price forsaide, upon the same paine and forfeiture of his fraunches, if he be a freman, of the citie, and, if he be a forayn to be exilid oute of the citie.

Provided alway that one freman of the citie may bie and sill hides, freshe and salte, to an othre freman as dere and goode there as he will, afre thar owne agreement, this acte notwithstanding.

cxv<sup>d</sup>.—[A.D. 1485-6.]

Also, in the saide yere and day, it was ordayned and enacted that where certaine bouchers<sup>2</sup> have taken the sheamles [shambles] of the citie unto them for this yere nexte folowing, byndyng them to serve sufficiently the citie of fleshe att all seasons of the yere, that no parson nor parsons of the citie nor suburbs bie no rudders<sup>3</sup> which shal com to syll<sup>4</sup> to the citie, savyng the saide bouchers, excepte thar housholders bie them in season for thar laddre<sup>5</sup> to stuf thar houses, and that the said bouchers bye the same rudders in thar names that shall bie them.

And if ony rudders be sende unto ony certayne parson of the citie or suburbs, that the sayde bowchers shal bye them for to serve the communes and none othre, takynge ware and marchandise of hym to whom the rudders be sende, and of none othre, if he have such ware as the rudders may be boght for.

And the same bouchers shal take noo necks, nor none othre fees of the bef<sup>6</sup> for the cuttyng therof, but they shal take a peny for the cuttyng of every bief<sup>7</sup> that commeth kyllid oute of the countre.

And that the said bouchers shal have the kylling and cuttyng of the lardre<sup>8</sup> of the citie, taking ii. *d.* for every bief.

And the fyne and amercement of the brecking of this acte be at the discretion of the Maire and balliffs.

cxvi<sup>d</sup>.—[A.D. 1485-6.]

Also, in the saide yere, it was graunted by the [w]hole commene assente of the Maire and counsaile of the citie, att the supplication of Robarte Brothre, John Nongle, Teyg Caroll, and Thomas Cottrell, webbers,<sup>9</sup> and the remenaunt of the saide crafte within the saide citie and suburbs of the same, that they from thensforth shall have a bretherede of the saide crafte, and yerely they shal electe ii. of the moste discreteste parsones of the crafte to be maistres for the yere.

And they so chosen may have the rule and over sight of the crafte under the Maire and ballyffs for tyme beyng, and to redresse al manere complaints made by ony parson upon ony of the same crafte in ony thyng appartaynyng unto thar crafte, and to make amends unto the party grevid of the same.

And if ony of the saide crafte will not abide the correction of the saide maistres for tyme beyng for ony thyng mysdone appartaynyng to thar crafte, that then the Maire and balliffs shal supporte and maintaine the saide maistres in correction doying.

Provided that they nor none of them shal take no more for werkyng of thar crafte but in suche manere and forme as it have bene used and accustomed of olde tyme.

<sup>1</sup> due.

<sup>2</sup> butchers.

<sup>3</sup> horned cattle.

<sup>4</sup> sell.

<sup>5</sup>, <sup>6</sup>, larder.

<sup>7</sup>, <sup>8</sup>, beeves.

<sup>9</sup> webbers, weavers.

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And that they shal aunswere at all tymes Maire and balliffs when they bene callid for the behouf of the citie, and to the honour of God, the saide suppliants and the remanaunte of the crafte, and thar successours shal kepe and sustaine a light of xii. taperes from yere to yere byfor the aluter of Saynte Marten, within the Trynyte Churchle of the saide citie.

cxvii<sup>d</sup>.—[A.D. 1485-6.]

fol. 60b.

Also, in the saide yere, it was graunted by commene assente of the hole counsaile of the said citie att the supplication of John Poer, Teig Breack, and Thomas Flwyn, shomakers or cordoners, and the remanaunts of the crafte within the citie and suburbs of the same that from thense they shall have a brethreede of the saide crafte, and that yerely they shal electe and chose ii. of the moste discreteste parsones of the said craft to be thar maistres for the yere to rule and oversee the crafte undre the Maire and ballyffs, and they do redresse all manere complaints made by ony parson in ony thyng appartayninge unto the saide crafte, and to make amends unto the party greved.

And if ony of the saide crafte wil not abide the correction of the saide maistres for tyme beyng, for ony thing mysdone in thar crafte, that then the Maire and balliffs shall supporte and mantaine the said maistres in correction doying.

Provided that thei nor none of them shal take no more for werckyng and making in thar crafte, but as it have bene usid and accustomed of olde tyme.

And in case that hydes come to an heigher or a lougher price than they bene nowe, that then the Maire and balliffs shal sett the saide crafte att one stynte accordynge to rayson and conscience.

And the said suppliants with the remenaunt of thar crafte shal kepe and sustaine a light of xii. tapers yerly befor thauter of Saynte Blase,<sup>1</sup> within the Trinite Chirche in the honour of God.

cxviii<sup>d</sup>.—[A.D. 1485-6.]

Alsoo, by [w]hole commene assent, in ther dernhundred day, it was enacted and ordayned for ever hereaftre, that all the goode olde usages and priveleges of the saide citie that bene writte and unwritt, and used of auncient tyme, within the saide citie and within the courto of the same shall stande and holde ferme and stable ever here aftre as thei were used of olde tyme.

cxix.—[A.D. 1485-6.]

Alsoo, it was ordayned the saide day and yere, by the commene assent, that all manere actions and plaintes being in the court of the saide citie, betuxt freman and freman of the same, shalbe determyned in the saide courte aftre the olde usuges and priveleges of the saide courte and citie.

And if ony estraungere have ony action agenst a freman of the saide citie in the saide courte, yett the said freman shall enjoye and have all the benefet priveleges and usages of the said courte and citie, till the action be ended.

cxx<sup>d</sup>.—[A.D. 1485-6.]

fol. 61.

Alsoo, in the said daye and yere, by commene assent, it was enacted and ordayned that there shall no manere of man, woman, ne childe,

<sup>1</sup> The altar of St. Blasius, Bishop of Sebaste, in Armenia, and martyr. His festival was on the 3rd of February.

dwelling or abiding within the cite or suburba, lende, gyve, nor borow any manere of marchandises, goodes, victail or woll, nothre to sill any such to any manere nation being att warre or att any distance without the said cite, or that doth any hurte to the same, or will goo among them prevy or peart for his propre besynes or any othres or give to them mete or drink or consaile during ther being att warre, or to make a severall peace with any such, by them selfs or by any othre, if it can be proved upon them that bene fremen, they and every of them shall lose ther franchises and liberte for ever, and pay to the reparation of the walles of the cite x.li., as oft tymes as any such is founde gilty, and, if he be not a freman, to be enprisoned xl. dayes, and forfeit his goodes, and, if he had landes and rents, than to be expulsed oute of the franchises for ever.

cxxi.—[A.D. 1488-9.]

In the fourth yere of the forsaide reigne, William Lunbard, being Maire, John Madden and Rycharde Walsh, balyves of the saide cite, in dernhundred day, by commene assent of Maire, consell, and commynes, it was ordayned and enacted, that whatsoever parson<sup>1</sup> or parsones, in tyme commyng, putt in a byll or supplication to the dernhundred, that when the aunswere of the said bill or supplication shal be made, that the parson or parsons which putt in the same to desire any thing shall not be present hyring [hearing] thaunswere to be made, and if he or thei happen [to be] present, thei shall avoide unto tyme thei be called in againe and suche aunswere as shalbe then concluded by commene assent then to be shewed unto them that bene suppliants by the Maire or such othre parson as shall please him to command within courte.

cxii.—[A.D. 1488-9.]

In the said day and yere, it was ordayned that noo freman nor foraine of the saide cite shall freight noo shippe nor shippes for estrangres of the townes and countrees about the cite, and to take none of ther goodes with them to noo where beyonde the see<sup>2</sup> nor that none of the saide fremen nor foraynes shal be attornayes for none of the said estrangres into noo where beyonde the see, nor in noowise colour the goodes of the said estrangres.

And whoso ever be founde gilty in the premysses shall pay x.li., and forfeite his franchises.

Also, that no freman nor foraine shall gyve couplement<sup>3</sup> to none of fol. 61b. those aforsaide, nor take no couplement with them beyonde the see, nor in this side of the see, to no where else, England, Flanders and Wales, excepte.

cxiii<sup>d</sup>.—[A.D. 1488-9.]

Also, it was ordayned that no man sill no marchandise to none estrangres, butt it be delyvered by the handes of the makers, upon payne of xii.d. for every dicker<sup>4</sup> hydes and within, besides custume and cocket, and for all marchandise custumable within the som of xx.s. in likewise.

cxiii<sup>d</sup>.—[A.D. 1489-90.]

In the fife yere of the reigne of our saide souveraigne Lorde, Patricque Pope beyng Maire, Foucque Quemerforde and Thomas Shethe, balives, in the dernhundred day it was considered how the custumes of

<sup>1</sup> person.

<sup>2</sup> sea.

<sup>3</sup> partnership.

<sup>4</sup> See ante, No. cxiii, p. 318.

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foraine goodes and marchaundises commyng and goyng to and fro  
this cite be conceled greatly by dyvers colorable wayes of late founden.

Wherefore it is ordayned and enacted that from thensforward what ever goodes or marchandises come to or fro the cite by see or by lande there as a foraine bere any adventure or costes of the saide goodes or marchandises so commyng by see or by lande, that then the King shal take his duhe custumes of the same goodes and marchaundises, according to the statute of the cite.

cxxv<sup>d</sup>.—[A.D. 1489-90.]

Also, in the saide day and yere, it was ordayned and enacted that forains dwelling within the cite shal were gownes and goo still in English aray, and that every of them shall were his gowne att Crismasse nexte commyng, and soo from thensforth to contynue alway, what so ever he be that make defaulte herin, he shall forfeite viii. d. as oft tymes as he is founde faultie.

And that no lorde of freholde within the cite shall lett no house rent to no foraine withoute he present him to the Maire for tyme being to be sworne to the cite and also that he go in English aray, according to this acte, and as ofte as any lorde of freholde is faultie in any thesesse poyntes, he shall forfeite to the King the rent of his house yeven to such forains as muche as commeth to that terme, etc.

cxxvi.—[A.D. 1490-91.]

1. 62.

In the sixte yere of the reigne of the saide Kyng, John Shalwey Maire, Walter Wadyng and John Madan, balifs, in the derberne day it was ordayned and enacted that noo manere of parson nor parson dwelling within the cite, or in the suburbes of the same, shalbe admitted to take none action from thensforward by a foraine attorney agensste any parsons beyng absent, without he can shew a specialtie his action be of dett that he whos goodes bene attached is owing such dett as the party supposeth.

And if he can shew no specialtie, that then he shall make his oath faithfully uppon a boke before the courte that the dett is duhe to him. And if it be trespassse that is supposed, if the trespassse be not proved the plaintiff shall prove the trespassse to be done to hym, by sufficient record taken and examined by the courte.

cxxvii<sup>d</sup>.—[A.D. 1491-2.]

In the seventh yere of the forsaide Kyng, Jeames Sherlocque Maire, Thomas Sheth and Robert Butler, balifs, it was ordayned that noo coke<sup>1</sup> within the cite nor suburbes from thensforward shall sell any flesh, upon payne of forfectour of the same, and to pay xii. d. for a fine half to the King, and that othre half to the fynders.

cxxviii<sup>d</sup>.—[A.D. 1491-2.]

Also, in the saide yere, it was enacted that noo carpenters, masons, helyers, smythes, or any othre crafty<sup>2</sup> men, within the cite and suburbes of the same, refuse to wrycke<sup>4</sup> withe no man of the cite or suburbes for malice or evill will for any displeasure that the same craftymen or any of them owith or have ayenste<sup>5</sup> any man of the cite or suburbes, that they and every of them shall doo ther occupation, according as thei shalbe required.

<sup>1</sup> cook.

<sup>2</sup> sell.

<sup>3</sup> artificers.

<sup>4</sup> work.

<sup>5</sup> against.

And who so doo the contrary, he shall forfeit vi. s. viii. d., as ofte as any of them is founde giltly.

And that none of such craftymen servaunts receive no wages, without he be in service with his maistre att the same craft that his maistre usith two yere before he be admtytted to receive wages.

cxxix<sup>d</sup>.—[A.D. 1492-3.]

In the eight yere of the saide Kyng, Patricque Rope beyng Maire, fol. 62b. William White and Laurence Dobyn, balives, it have be (*sic*) considered, in dernhundred day, how the course of marchandise in buying and sylling by the meanes of craftymen and othres forains duelling within the citie and suburbes having in them the utterance of mantells, frises, wax, felles,<sup>1</sup> fyshe, and of othre goodes and marchandises to the estrangergs, is uttrely disordered and abused in derogation of the priveleges and auncient custumes of the citie, and also to the great hurt and enpoverishing of the fre citisains bering out by ther bodyes and goodes the chearges of the citie, for the more parte, and have none other meanes for ther lyving butt onely faicte<sup>2</sup> of marchandises, which so withdrawn from them thei shalbe within processe of no power to berre the saide charges for the suertie of the citie, as God defende.

For the remedy herof, it is ordayned and enacted by commene assent that no craftyman, norishis, servants, nor none other foraine within this citie or suburbes dwelling shall syll<sup>3</sup> frise, mantles, ware, felles,<sup>4</sup> fishe, nor none other manere of ware nor marchaundise to no manere estranger, densyn<sup>5</sup> nor alient, by no manere of way nor colour, allbe it the saide goodes and marchandises so to be solde be the propre goodes of the saide foraine, or of a freman of the citie, butt that every freman shall syll<sup>6</sup> and uttre<sup>7</sup> his goodes to the marchants estrangergs, and that the foraines shall sill<sup>8</sup> ther goodes to the fremen of the citie, and to none other, upon payne of forfector of suche goodes as shal be founde to be solde contrary to the tenour of this acte.

cxxx<sup>d</sup>.—[A.D. 1492-3.]

Also, in the saide day and yere, it was enacted that no manere man, freman nor foraine, of the citie or suburbes duellers,<sup>9</sup> shall enpleade nor defende in Yrish tong ayenste any man in the court, but that all they that any maters shall have in courte to be mynstred<sup>10</sup> shall have a man that can speke English to declare his matier, excepte one party be of the countre; then every such dueller shalbe att liberte to speke Yrish.

cxxxi<sup>d</sup>.—[A.D. 1492-3.]

In the foresaid day and yere, forasmuch as Maire and balifs bene fol. 63. chosen to be commene biers of all marchandises commying to the citie, and bene distributors of the same upon the commynes for this yere, it is enacted and ordayned by commene assent that no manere of man duelling within the citie or suburbes shall goo againste any shippe or shippes estrangergs that shall aryve within this haven, with any manere of marchandise, and if it fortune any parson or parsones to be att Passage or in any othre place within this haven att tharryving into the same of any such shippe or shippes, that then no such parson nor parsones shall goo aborde them, nothre bye, syll,<sup>11</sup> nor make bargain with them nor to goo theddre<sup>12</sup> to thende to awaite uppon the commying of

<sup>1</sup>, <sup>4</sup> skins.

<sup>2</sup> See p. 334.

<sup>3</sup>, <sup>6</sup>, <sup>8</sup>, <sup>11</sup> sell.

<sup>5</sup> denizen.

<sup>7</sup> utter.

<sup>9</sup> dweller.

<sup>10</sup> administered.

<sup>12</sup> thither.

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shippes into this haven by no manere of colour, except such person or parsons be send theddre by Maire and balifs.

And who so ever do the contrary herof, and therof to be convicted shal pay xl. s. for a fyne, without ony grace, and lose his fredome.

cxxxiii<sup>d</sup>.—[A.D. 1492-3.]

Also, in dernhundred day, it was belefte<sup>1</sup> that from thensforward to every of the vi. tappers<sup>2</sup> which is yerly kept by the citie before the ymage of Saynt Otheran<sup>3</sup> the balif for tyme being shall putt ii. li. of wax be it dere or good chepe.<sup>4</sup>

cxxxiii<sup>d</sup>.—[A.D. 1496-7.]

In the xii<sup>th</sup> yere of the forsaide regne, John Maddane being Maire, John Wise and Perse Forestall, balives, it was belefte<sup>5</sup> and concluded by Maire and counsell that whensoever it shall fortune ony of the vi. sondayes of the Lenten, in which, by the old and laudable custome of the citie, the drynking is holde [n] and kepte to fall voide by the death of ony parson, or othre wise, then if the Maire for tyme being have noe of the said drynking dayes, the consaile shall assigne the same day to the Maire. If the Maire have a day before tyme, that then the eldes that have borne the office of Mairaltie shall have the same voide day, if he have noo daye before.

cxxxiii<sup>d</sup>.—[A.D. 1503-4.]

In the xix<sup>th</sup> yere of the saide regne, Robert Butler being Maire, George Quemerford and Nicholas Maddan, balifs, it was ordayned that all tho[se] that taketh any nettis upon half sheare,<sup>6</sup> that they that taketh ony such nettis att half sheare shall paye all costes and the owners of al suche nettis shall repaire them when it nedith.

cxxxv.—[A.D. 1503-4.]

fol. 63b.

Also, it was enacted in the saide yere, that any man that bringith a bargain from beyond the see,<sup>7</sup> othre that byeth a bargain of any estranger, and if he kepe the marchant or marchants xl. dayes after the dayes of the shippe that bring the saide bargain be expired, that then the saide man that so doth shall pay x. li. to the Maire and balives half to the King and the other half to the officers.

cxxxvi<sup>ti</sup>.—[A.D. 1503-4.]

Also, it was beleft,<sup>8</sup> the said yere, that no man shall com to the drynkings the Sondayes in Lent, butt only the counsaile.

Also, that half of the profites of the faire courte shall be dyvided betux the officers for tyme being yerely.

cxxxvii<sup>d</sup>.—[A.D. 1503-4.]

Also, it was enacted and ordayned that every freman from hensforth that kepith noo houshold within the citie or suburbs shall yerely pay to the commynes for all chearges of the citie vi. s. and viii. d. And this yerly to be payed untill every such freman shall be married and kepte hospitalite.

cxxxviii<sup>d</sup>.—[A.D. 1506-7.]

In the xxii<sup>d</sup> yere of the forsaide regne, William White being Maire, James Sherlok and William Broun balives, in the dernhundred day by

<sup>1</sup>, <sup>5</sup>, <sup>6</sup>, decreed.

<sup>2</sup> tapers.

<sup>3</sup> Odran.

<sup>4</sup> Equivalent to "bon marche"

<sup>6</sup> share.

<sup>7</sup> sea.

commene assent it was concluded and enacted that no foraine duelling within the citie or suburbes passe not over the see [sea] from hensforward a marchant fare except fishers and seefaring men. And that no freman nor fremens factours ne servannts shall be attornais for no forains to convey nor cary ther goodes over the see, upon paine of forfecture of the said goodes, and xl. s. for a fyne of every such attorney, the iii<sup>d</sup>. parte thereof to the King, third part to thofficers, and iii<sup>d</sup>. parte to the fynders.

cxxxix.—[A.D. 1506-7.]

Also, it was beleft<sup>1</sup> that of all shippes which hensforward shalbe freight within this franchises into Flandres, what thei be estraungers or other that be marchants that the Godds peny<sup>2</sup> which shalbe received there to be bestowed and besett to the behouf of Criste Chirch of this citie, and to none othre chirch, and that the Maire for tyme being shall putt the cape<sup>3</sup> marchant, what so ever he be in a suertie to bring the Godds peny to jhe saide chirch befor his departing oute of the haven. fol. 64. And afre the commynge home of the shippe and marchants, the Maire to examyn the cape<sup>4</sup> marchant how the Godds peny is bestowed.

cxli<sup>d</sup>.—[A.D. 1508-9.]

In the xxiii<sup>d</sup> yere of the forsaid regne, Piers Forstall being Maire, John Comyn and Richart Walsh balives, by commene assent in ther dernhundred day it was enacted that noo boote<sup>5</sup> shal bring woode butt only half barges and quarters, exept such othre boots<sup>6</sup> as shall bring it to the use of the owners and to noo salis<sup>7</sup>. And that every half barge have vi. men. And if thei goo to the Roure to have vii. men. And every quarter to have iiiii. men and to the Roure v. men.

And who shall doo the contrary herof shal pay iii. s. iiiii. d. to the commene and forfect the wodde.

cxlii<sup>d</sup>.—[A.D. 1511-12.]

In the third yere of the regne of Kyng Henry the viii<sup>th</sup>., Robert Butler, being Maire, John Morgan ond Nicholas Wise, balives, it have be[en] considered by Maire and consaile and commynes how there have bene greate variannce now of late in taking of principales<sup>8</sup> and by supposails in likewise to be in tyme commynge. And forasmuch as taking of such principales is not by commene lawe, butt only by custume and usage, it have be[en] founde noo such custum here to be used oute ot tyme of mynde.

Wherfore, in dernhundred day, by commene assent it was enacted that from hensforward there shalbe noo such custume to take any principales within the cities nor suburbes, nothre by noo manere of parson<sup>9</sup> or parsons onye clayme to be made concernyng the said principales by onye parsons, or by any othre in ther name, by the duellers and inhabitants of the citie and suburbes, notwithstanding that they have ony fee-symple land within the citie or suburbes, or within the lande of Irelande, upon payne of cc. pounds.

Provided that the son and ayre<sup>10</sup> shall have the fadre [h]is body harnois and signete.

cxliii<sup>d</sup>.—[A.D. 1511-12.]

Also, it was enacted by commene assent that noo man duelling within the citie nor elsewhere shall reise<sup>11</sup> keiage of noo kaye nor othre place, that is to say, of no voide straunde, except it be buylded as a keay. fol. 64b.

<sup>1</sup> decreed. <sup>2</sup> "earnest" money. <sup>3, 4</sup> chapman, merchant or trader.  
<sup>5, 6</sup> boat, boats. <sup>7</sup> no sales. <sup>8</sup> heirlooms. <sup>9</sup> person. <sup>10</sup> heir. <sup>11</sup> levy or exact.

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And who so doth shall pay iii. s. iiij. d. as oft as ony shalbe gilty in taking of any such keiage.

And this penaltie shalbe to the behouf of the commynes, etc.

clxliii<sup>d</sup>.—[A.D. 1516–17.]

In the viii<sup>th</sup> yere of the forsaid regne, John Maddan beyng Mair. George Quemerford and John Morgan, balives, in the dernhundred day by commene assent it was concluded and enacted that no manere of man of what degre he or thei be of, as well deansens<sup>1</sup> as estrangres from hensforward shall lade no manere of woll within the great port of this cite in no where to be caried over the see by no maner meane or collusion, upon payne of forfector therof, and ther bodies to prison there to remayne untill thei shal pay v. li. to the reparations of the walles of this cite.

clxliii<sup>d</sup>.—[A.D. 1516–17.]

Also, it was enacted that no alient marchant, nothre onye manere of alient that shall arrive within this haven, shall goo to no manere of faeire or faeires, by land ne by water, vpon payne to forfecte all the goods.

And that no manere of parson conducte nor leade ony such alient or estrange marchant to no noo towne or village within this land, to by or sill ony manere of merchandise vpon payne of xl. dayes prisonment, and paying v. li. as afor is saide.

clxlv<sup>d</sup>.

Also, it was enacted that no manere of man shall receve of ony alient or estrange marchant ony manere of mony undre no maner of colour or condition to by ony merchandises in any feaire, town, village or otre place within this lande, vpon payne of forfector of the saide goode as mony, and ther bodies to prison.

And that no sherman bye no flocks<sup>2</sup> to sill to none estrangger or payne of forfectour. All the forsaid forfects to be divided betwixt the King, the officers, and the fynders equallye.

clxvi<sup>d</sup>.—[A.D. 1516–17.]

Also, in the saide yere and day, it was ordayned and enacted that all manere of feetaile lands and tenements ever from hensforward may be gyven and receved to ferme, for terme of lif or for terme of yere, without ony damage to the tenant fermour, by the ayres of him that gyved ony such fermes undre and upon all and singler conditions, penaltees and forfeitures containgneth (*sic*) in an acte and ordinance made againste resumption in the xx<sup>d</sup> yere of King Edward the iii<sup>th</sup> the c. acte,<sup>3</sup> Jeames Rice being Mair.

clxvii<sup>d</sup>.—A.D. 1518–19.]

In the tenth yere of the said regne, Nicholas Maddan being Mair. George Sherlocque and Thomas Lunbard balifs, in dernhundred, by commene assent it was enacted that no freman nor foraine of this cite shall house, loft, nor seller ony straunge marchant goods, as hides, fellis,<sup>4</sup> or ony other ware, to awaite upon derth, without licennce of Mair and balives, [on] paine of xl. s.

fol. 65.

<sup>1</sup> denizens.

<sup>2</sup> inferior wool.

<sup>3</sup> See p. 814.

<sup>4</sup> skins.



cxlviii<sup>d</sup>.—[A.D. 1518-19.]

Also, it was enacted the said day and yere that no manere of man, what degre he be of, shall cary no flocks,<sup>1</sup> ne wax, over the see, and that no freman nor foraine sill no wax to scolers, upon paine of forfecture of the same.

cxlix<sup>d</sup>.—[A.D. 1518-19.]

Also, it is enacted, for the reformation of the Cog that noo lords of the Cog<sup>3</sup> from hensforth shall drynk no maner of man estraunger, ne othre comyng to the citie othre being in the citie, outesept<sup>3</sup> ther pleasures and willes.

cl<sup>d</sup>.—[A.D. 1519-20.]

In the enuleventh yere of the forsaid regne Jeames Sherlocque being Maire, Richardus Devereux and Richardus Walsh, balives, in the dernhundred day, by commene assent it was enacted that no man shall pay abow ii. s. for a fresh or a salt hide on paine of iii. s. iiiii. d. and forfecetur of the hide and hides, half to thofficers and the othre half to the fynder, except the hides be bought of marchant men.

cli<sup>d</sup>.—[A.D. 1519-20.]

Also, it was concluded the saide yere and day for the grevous damage and hynderaunce dayly sustayned unto this tyme by the fremen of the citie by reason that no marchannt can retaile no wyne upon the retailing of the King [h] is prise wyne, that from hensforward every citisain and freman that shall and hath any wyne may broche them when them lust,<sup>4</sup> paying fol. 65b. to the commynes by the balif receiver viii. d. of mony curraunt for every tonn of wyne that thei shall receve of ony bargayne or that shall com by ther owne lading from beyond the see unto the citie from tyme to tyme ever herafte.

clii<sup>d</sup>.—[A.D. 1519-20.]

Also, it was enacted that no man hensforward shall pleade att the barre in Court for any party plaintiff or defendant, unlesse he be admytted by the officers of the Court, upon the payne of xii. d. tociens quotiens.

cliii<sup>d</sup>.—[A.D. 1522-3.]

In the xiii<sup>th</sup> yere of the forsaide regne, Patricque Walsh beyng Maire, Henry Walsh and Thomas Lunbard (*sic*), balives, in the dernhundred day, it was considered how there have be[en] greate variants and debate amongst the inhabitants of this citie for the bying of mariner portages and other habordasher and pitimarchandis<sup>5</sup> brought by marchant estraungers comyng to this citie. For a remedy whereof it is concluded and enacted from hensforward that all manere marchandis what so ever kynde thei be of and mariner portages comyng in any shippe to the citie that is or shall be devydable, shal be bought by the Maire and balives whiche bene commene biers for tyme being and to distribute the same on fremen of the citie (the propre goods of free citisains and inhabitants only excepted). And that no fre citisaine nor inhabitant shall procure or attempt to bye any manere of marchandis so comyng to the citie withoute a speciall licence hadde of the Maire for tyme being.

<sup>1</sup> inferior wool. <sup>2</sup> See in Appendix IX. p. 386, an enactment of 1601 on this subject. The term "cog" or "cogge" was anciently applied to small ships or boats.

<sup>3</sup> except at. <sup>4</sup> When it pleases them. <sup>5</sup> petty merchandise or small wares.

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And if ony attempt the contrary, he shall forfecte suche goods as he bieth, othre<sup>1</sup> he shall make a fyne according to the discretion of Maire and balives.

Provided alway that if it fortune ony fre citisaine to fraight ony shippes or veshell this side the see othre beyond the see wherin shall come ony manere of portage, that then it shal be lawfull to every fre citisaine to by the same portage and marchandise being in the saide shippes or vesshells, etc.

cliii<sup>u</sup>.—[A.D. 1523-4.]

fol. 65b.

In the xv<sup>th</sup> yere of the saide regne, Nicholas Wyssse being Maire, Nicholas Morgan and William Lyncoll, balives of the cite of Waterford, in the dernhundred day, it was by commene assent enacted, ordayned, and for ever herafte established that from hensforward no parson nor parsons, freman nor foraine, duelling within this cite and suburbs or within the franchises, shall sue nor laboure no writts of corpus cum causa, subpena, certiorari, supersedeas, de errore, nothre prey seale, nor of any kynd or nature of writte or writtes against ony causes, suites, or actions that was, is, or in tyme to com shalbe depending or determyned, tried, or judged, with ony Court or Courts of this cite.

And if ony such parson or parsons or othres as afore is saide shall sue or laboure ony such writte or writtes against ony of the inhabitants of the cite or suburbs, for ony manere of causes, or against ony mater or maters in the forsaid Court or Courts depending or tried, determyned, or judged, that then every such parson transgressour shall forfect x.li. pure dett to be payed to the commynes. And if he be a freman, he shall losse his liberte and franchises.

And if the Maire for tyme being within x. dayes afte that ony such writt or writtes shalbe delyvered within the saide franchises of this cite othre without to ony manere of parson or parsons duelling or abiding within the same, will not execute this acte as afore is rehersed, and all othre statutes and actes made of olde and provided for the same, according to the full effecte of them against every parson and parsons transgressing in ony of the said acts and statutes, that then the party greved, against whom or for whos cause ony such writt or writts shalbe so labored may take an action of dett against the saide Maire for tyme being before the balifs in Court for the saide x.li., without exeption or abating of his said action in ony maner of wise. And that the said balifs shal execute the said acts and statutes in all and singler in them containeth against such transgressours.

And, moreover, the said party greved by ony such writt or writts may sue every such transgressour of an action of dett of xx<sup>li</sup>. li., without ony delays to be gyven to the defendant. And of the same recovery and forfects the Commynes shall perceve<sup>2</sup> thone<sup>3</sup> moitie and the partye greved the othre half.

clv<sup>u</sup>.—[A.D. 1523-4.]

Also, in the said yere and day, att the petition and praier of the Commynes in augmenting and advauncement of the marchant cheappell<sup>4</sup> of the pittie rode<sup>5</sup> within the cathedral chirch, whiche of long time have greatly decayed. Therfor, by commene assent it was granted and ordayned from hensforward that of all manere goods and marchandis as shalbe labored, tracted, and adventured by ony of the inhabitants of this cite

<sup>1</sup> or.  
<sup>4</sup> chapel.

<sup>2</sup> receive.  
<sup>5</sup> rood or representation of the crucifixion.

<sup>3</sup> the one.

and suburb oute of the haven and porte of the same, into any where else, that the procurators of the said chapele shall by attorney receive an half peny of every *li.*<sup>1</sup> there made, and the same be benploied by the said attorney and returned to the said procurators. Which yerly shal gyve true and duhe accompt to the balives of the yere before elected to the audicion therof. The which procurators and ther successores shall kepe and mantaigne the most vertuest and devoutest preste that for *v. li.* of wages may be hadde and retaigneth in the said cheapell dayly to pray (admytted by the Maire and balives) for the estate of all the inhabitants, and in especiall for marchants tractants, and all cristen soules.<sup>2</sup>

clvi<sup>th</sup>.—[A.D. 1524-5.]

In the xvi<sup>th</sup> yere of the forsaid regne of King Henry the VIII<sup>th</sup>., Nicholas Madan being Maire, Nicholas Strong and John Lumbard, balives in the Dernhundred day, by commene assent it was ordayned and enacted that from hensforward none inhabitant of the said citie and franchises havynge any cause of personall action, one against that othre, shall gyve or sill<sup>3</sup> his bond or cause of action to any foraine, duelling oute of the citie and franchises, wherby the saide foraine moght vex or sue any of the saide inhabitants by the Kings writts othre the King's commandment oute of the said citie upon all paynes named and lymtyed in the cliiii<sup>th</sup> acte<sup>4</sup> forsaide, made against the laboring of writts, Nicholas Wise then beyng Maire, in the xv. yere of the saide regne [A.D. 1523-4].

clviii<sup>th</sup>.—[A.D. 1524-5.]

Also, it was enacted the said day and yere by commene assent that fol. 67.  
from hensforward every freman that hath and shall have cause to sue in court for any prismony may entre his playnt upon the arrest, and that the defendant shall make nor have noo manere of delays in courte, butt unto the first jurye, and noo longer.”<sup>3</sup>

## VI.

### SECOND BOOK OF WATERFORD “ORDINANCES.”

“LIBER SECUNDUS: Here begynneth the second boke, whiche doth con- fol. 107.  
taine notable precedentes, used and accustomed for laudable ordenances. With others righte many digne to be recorded and kept in memorye.

The firste.—[A.D. 1407-8.]

Memorandum: That, in the nynth yere of the regne of King Henry the Fourth, John Lumbarde being Maire of this citie, Richart Barry and Robert Legro, balives, the voide land somtyme belonging to Richart Bristoll and John Guyere, for the nonpaying of the Kings chief rent called Longable, during time of noo mynde, was seased and forfected to the commynes by the said Maire and balives, which land lieth in leynth from the Bothstrete in the north unto the lande of Saint John of Jerusalem in the south, and in brede from William Symcock [h]is land, in the este, unto Maurice Wadding [h]is land, in the weste, within the citie, and in the paroch of Saynte Olave.

<sup>1</sup> One pound.

<sup>2</sup> In the MS. this act is struck out, and the following is written in the margin: “In the dernhunderth day, by commene assent of Mayor, ballifs, and citisanns then assemblid, this statut and act was dissolvit, extinguished, and to be of no forse for ever.”

<sup>3</sup> sell.

<sup>4</sup> See p. 328.

<sup>5</sup> This entry is followed by acts extending from the eighteenth to the thirty-fourth year of Henry VIII., 1526-7. —1542-3.—MS. ff. 67a to 70b.

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The second.—[A.D. 1429-30.]

Memorandum : That, in the eight yere of the regne of King Henry the Sixte, one William Laules was brought to answers before Maire and balives by reason that, contrary to the statutes of this citie, he didd recett<sup>1</sup> a preste and his concubyne using fornicacion in his house, notwithstanding the proclamation that if ony, within or without the citie, wold recett ony prestes with ther concubins, and therof shold be convicted, he shall lose all his goods, and his body to remayne in prison a tuelmoneth and a day, and then to make his fyne.

Then, herupon the said William putt him to grace, whiche was fered and taxed att v. marks, of which was paid xiiii. quarters of salt at iiii. s. the quarter.

The iii<sup>de</sup>.—[A.D. 1438-9.]

fol. 107b.

Memorandum : That, in the xvii<sup>th</sup> yere of the regne of King Henry the Sixte, William Lyncoll being Maire, James Rockell and Foucke Quemerford, balives, John Franches, citsaine of this citie, didd knolech<sup>2</sup> hym to ow to William Lyncoll, citsaine also of the said citie, x. li. of money currant, to be paid att the pleasure of the said William, undre and upon thes condicions :

That if the said John forfecte or ony trespasse doo againste the said William, othre ony citsaine bering office of Mairaltie or of balifs, and therein to be convicted, he shall pay the said x. li. without ony grace.

The iiiii<sup>th</sup>.—[A.D. 1441-2.]

Memorandum : That in the xx<sup>th</sup> yere of King Henry the Sixt, William Lyncoll beyng Maire, John Corr and Nicolas Morgan, balives, James Rockell forfected the franchises of the citie, by cause it was founde that he concelid Nicolas Maryner, the Florentyn,<sup>3</sup> [h]is goodes, against his oth. And the next yere afre he was receved to grace and taxid att xxi. s. viii. d. upon this condicions, that, if ever he shalbe founde giltie in such causes, he shall forfect x. li. without ony grace.

The v<sup>th</sup>.—[A.D. 1451-2.]

Memorandum : That, in the xxx<sup>th</sup> yere of King Henrye the Sixt, John Corr being Maire, John May and Thomas Yong, balives, John May forsaid, for certaine contempts and crymes that he have done agaynste the Maire and commynes, that is to say, the brecking of the Maire [h]is saufconducte, and also that he wold not obey the said Maire [h]is commandment when he was chearged to dischearge a man that he toke upon the Maire [h]is suertie, and also for the meanashing done in the Maire [h]is presenche, that he wolde kyll and take certain men, if the Maire wolde gyve them suertie, for which contempts the saide John May hath forfected his franchises by awarde of the counsaile, and, if ever he shall aske it again, he to pay x. li. without ony grace.

The vi<sup>th</sup>.—[A.D. 1438.]

Memorandum : That in the saide yere the xvi. day of August, one John Brian, of Rosse, bought a caravell<sup>4</sup> laden with wyne, att the Passage, againste the libertie of the citie, for the which he was arrested and, by awarde of iiii. of the consaile, he was sworne on a boke that he should never herafre bye noo maner of marchandis within the franchises of this citie, exept fresh fish, without licenche of Maire and balives,

<sup>1</sup> receive.

<sup>2</sup> acknowledge.

<sup>3</sup> Florentine.

<sup>4</sup> small ship.

and if he do the contrary hereof he bynde himself to pay to Maire and commynes x. *li.* of mony.

The vii<sup>th</sup>.—[A.D. 1461.]

Memorandum: That, the xvi. day of Decembre, the first yere of the regne of King Edward the fourth, it was fownde by all the consaile of the citie that Thomas Nele, citsain of this citie, rebuked and myssaide John May, Maire, sitting as the Kings Judge in court in presennce of the worthiest of the said consaile, saying that he said not sothe, for which rebuke the said consaile awarded that the Mayre oughte to have the benyfet of the statute, and therefore he was to the Maire condempned in x. *li.* for the which he was commytted to warde and dismytted out of the said consaile for ever.

The viii<sup>th</sup>.—[A.D. 1448-9.]

Memorandum: That, in the xxvii<sup>th</sup> yere of King Henry the Sixt, it was found by examination of divers negbours of this citie, had and taken before the consaile, how John May made afayr againste Fouck Quemerford, being Maire, in whos presennce he drew a dagger and wonded a monk, which was on the Maire [h]is assurance, for which causes and crymes the said John lost his fredome and was discharged of the court.

The ix<sup>th</sup>.—[A.D. 1448-9.]

Also, it was founde that the said John May wolde not obey the Maire [h]is commandment as Justice of the Peace, butt, drawing a swerde, made afayr, for which he was adjudged to prison for a tuelmoneth and a daye.

The tenth.—[A.D. 1448-9.]

Also, it was founde that the said John made assault to Thomas Barbour, Serjant, and him bett and evill entreated in the Maire [h]is presennce, in contempt of the King, for the which he was adjudged to make a fyne of v. *li.*

The xi<sup>th</sup>.—[A.D. 1448-9.]

Also, it was founde that the saide John didde shed the saide Maire h[is] blodde, and, therefore, he was adjudged by the saide counsaile that he shall delyver to the forsaid Maire an c. *li.* else to lose his right hande.

The xii<sup>th</sup>.—[A.D. 1464-5.]

Memorandum: That in the fift yere of King Edward the Fourth, fol. 108b. William Lyncoll being Maire of this citie, John Morgan affermed an action of covenant in court agaynst John Ofons, mariner, in which action John May became pledge and suretie. Then afre in defaults made in court by the said John Ofons of none apparence, it was awarded that the said John May as pledge sholde aunswere to the action, according to the lawes and custumes of this citie.

Processe therupon contynued unto such tyme that the said John Morgan hadde judgement to recover his domages in the said action, taxed att xxvi<sup>d</sup>. s. viii. d. Whereupon execucion was awarded, and the saide John May attached, which disobeyed, brecking the arrest.

Then the balif hadde him arrested, and he said that he knew him not as balif, and wold not obey his arrest, without the Maire wolde commyth him to warde, and there he lied and rebuked the balif, to the great contempt of the King, and a precedent to destroy the goode rule and lawes of this citie, if it were not reformed.

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Therefore, the premysses considered, by assent of the [w]hole consaile it was ordayned and adjudged the said John May to be dysmytted<sup>1</sup> of his libertie and franchises for ever term of his lif.

The xiii<sup>th</sup>.—[A.D. 1464-5.]

Also, in the said yere, the vii<sup>th</sup> day of Marc[he], by assent of the hole consaile, the said John May was putt to warde for his great offences, and where of late he was condempned in x. li., as forsaide, John Corr being Maire, and nowe also is condempned in v. li. by an ordennance made by commene assent against all tho[se] that bryngith ony writts.

And the said John, contrary to the same, broght a writt of corpus cum causa, the vi. day of Marc[h]e, and a writt of sicut alias, the vii<sup>th</sup> day of Marc[h]e, for which offences the said John was comytted to warde and there to abide till the said sommes be payed.

Also, the saide consaile concluded that all maner of costs nedfull to be spende againste the said John, in all suytis that is or shalbe done, shal be spende of the commyne goode, and that consaile and commynes shall stand and defend att all tymes thofficers for tyme beyng.

The xiiii<sup>th</sup>.—[A.D. 1464-5.]

fol. 109.

Also, in the xx<sup>th</sup> day of Marc[h]e, att the speciall desyre of certaine worthie men of the consaile, by prayer of the said John May, beyng<sup>2</sup> xiiii. dayes in warde for the offences aforwritten, knouleged<sup>3</sup> in open audience him to be giltye in the same, was receved to grace, unto which he submytted hym, and louly<sup>4</sup> prayed for grace.

Then Maire and consaile, seing his humylite, receved him to grace, which was then fered in this manere:

That, if ever hereafter the said John wolde offend in any maner of wise, the ordenances, usages, and lawes of this citie, or wolde disobey the commandment of the officers for tyme beyng, that then he sholde fall in the payne of xx<sup>th</sup> li. to be payed without contradiction of the said John [h]is goodes and catell<sup>5</sup> to Maire and constables of the staple.

The xv<sup>th</sup>.—[A.D. 1464-5.]

Also, the xxviii<sup>th</sup> day of Marc[h]e, the said recognisance of xx. li. was openly redde unto the said John May, whiche then saide that he wolde not be bounde to the Maire and constables of the staple, nor to none othere, in maner forsaide, ne othrewise.

And in this Maire and consaile considering the untriwe<sup>6</sup> promise and demeanour of the said John, by ther [w]hole assent awarded him to pay xv. li., for the which he was in ward, and to be dismissed<sup>7</sup> from the libertie for ever.

And if ony pray ever hereafre for him, to bring him to the same libertie agayne, he that so shall doo shall forfeet xx. s., tociens quociens, to the commynes.

Also, thei awarded him to be dismissed for ever of the dryncking in Lenten tyme.

And who so ever of the counsaile will not att all tymes stand and defend all thes wardes and ordenances forsaide, shall forfeet x. li. to the commynes.

The xvi<sup>th</sup>. \* \* \* \*

<sup>1</sup>, <sup>7</sup>, excluded.

<sup>4</sup> humbly.

<sup>2</sup> being.

<sup>5</sup> chattels.

<sup>3</sup> acknowledged.

<sup>6</sup> untrue.

<sup>8</sup> The remainder of the leaf is blank in the MS.

## VII.

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## ANCIENT CUSTOMS IN THE CITY OF WATERFORD.

" Certeyne of the Auncient Customes used and contynued within the citie of Waterford, the liberties, limites, suburbs, and fraunches of the same, tyme out of mynde, and collected by the verdict of divers of the moste auncient and discrete Aldermen and inhabitantes of the said citie, being sworne for that purpose, and afterward approved, ratified, and confirmed by all the citizens of the said citie in their common assemblee at Michaelmas, 1574, holden before the Woorshipfull Mr. James Walsh, Maior, and Patricke Quemerford and Robert Walsh, Sherifes, as the very auncient and old contynued customes within the same from the beginning. fol. 110.

1.—First: That the Maior and balives shall, during the yeare of their office, contynually remayne within the citie and liberties of the same without departing from their said charge, unlesse the counsaill of the said citie do license them or anny of them to departe, having asufficient deputie or deputies, which depute or deputies they have used, tyme out of mynde, to make as before.

The consideration of this custome is that if the officers might departe without license, and leave no deputie, then the citie shoulde lacke governement, and justice should be suspended, and that often the officers are especially commanded by the governor and other officers, somtymes for the citie cause, and somtymes for their privat cause, to appeare before them, which they must obey. And therefore they have used to make deputies, tyme out of mynde, which deputies, also, tyme out of mynde, have had the like authoritie as the said officers.

2.—Item : That ples holden before one of the three officers in anny of the courtes of the said citie, by the consent of the rest of the stile or title of the courte making mention of the plea to be holden before all three were alwayes accepted and holden to be of as great effecte as if all the officers were present, for somtymes two of the said courtes are and must be holden at one tyme, at which tyme all the officers may not be present in both, and somtymes the bailif receavour, and the Maior, at othre tymes, must be absent and about the citie matters elswhear.

3.—Item : That all fermes did enswe the nature of fee simple landes within the citie, suburbs, and liberties of the same, and that wives had in their thirde as wife to the testatour or intestat an estate for life onely in the said third, if the yeares contynued so long, and that all wives were alwaies secluded and barred to demannde any intrest in their said thirde of the said fermes or leases other then during their livis or to allien any longer.

The consideration is, that a great parte of the citie land belongeth to the Church, and to inheritours not dwelling within the same, by reason whereof the inhabitants cannot purchase the inheritance; and, nevertheless, the moste parte of their wealth is layde oute for leases for yeares, and it were against the meaning of the lawe that women shoulde have so excessive a preferment, to the hinderance of the children, where the custome is much for the contynuance of families, which the churchmen, having inheritances within the Liberties of the said citie, do use to contynue and to preferre the heire of the first lessee.

4.—Item : That thinhabitanntes, being not citizens, have, tyme out of mynde, used to passe in juries of triall upon a man [h]is life, albeit they lacke freholde.

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The consideration is, for that there are not freholders sufficient to heare the peremptorie and othre challenges, within the citie or liberties, and them [*sic*] for lacke of sufficient triall that point of justice should faile within the citie.

5.—Also, causes and pleas betwixt thinhabitannts have bene tried alwayes, tyme out of mynde, without respecte of freeholde or goodes, whether thaction surmounted xl. marckes, or whether the same touched the realtie or not. Because the citie consisteth, and alwaies did consist, of trafficke and marchannt trade. And if causes were delayde and that merchanntes should not have triall with an expedition, for contynuing of theire trade and hastening of their viadges, contractes betwixt merchanntes should decay, whereby merchandize should be impaired, and so consequently danger of utter decay of the state and the inhabitants within the citie.

6.—Also, that landlordes, or any that might distrayne for rent, have used to distrayne the goodes of him owiſg the rent onely, and not the goodes of any other, saving when goodes were in possession of the tenannt as pledge, or did owe him anny somme of mony; in which case, the distrayning of them for that somme of mony due to the tenannt was lawfull and accepted.

The consideracion wherefore the goodes of a strannger were free and not subjecte to the distresse is, for that such as be tenanntes be either artificers or merchanntes, and artificers have, for the moeste parte, the goodes of others, and merchannts somtymes lyve by other mens goodes, and somtymes have solde the moeste parte of their goodes to others, and for the maintenannce of artificers and banishing of ydelnes, and also for the increase of buying and selling, the said custome have bene contynued as before. And, also, that anny deteynning a distresse contrary to this custome may be comitted before he delyver the same.

fol. 111.

7.—We fynd yt a customme that the Maior hath but an Aldermans shift<sup>1</sup> saving onely of every shippe of wyne of common bieing<sup>2</sup> he hath one but or pipe or two hogsetts choice and no man els have had the same but he alone.

8.—We fynde it of auncient custome that every widowe shoulde have like benefitt of her fredome, during her viduitie and honest behavou, as she enjoyed by her husbands tyme. Excepted that Aldermen's widowes shall have but a balives shift during their viduite and honest behavou.

9.—Also, that the goodes of any supposed to be debitour to any inhabitante may be arrested in absence of the debitour, and suite to be entred against the owener, and the courte to procede in processe to judgement and execution of the said goodes as well as they might if the owener had appeared, for otherwise debitours might deale by attorney, and so defraude the creditours, which may not for their traficke sake attend suite out of the said citie.

Also, the said libertie is grannted by King John to thinhabitanntes which may lawfully be grannted, and sithens and before hath bene contynued.

10.—We finde by auncient customme that any man having accion shall first arrest the partie whom he myndeth to sue, and when the Sergeant hath taken surtie of him to aunswer to the processe, that ther the partie plaintiff shall entre his accion in courte against him.

<sup>1</sup> Share or division.

<sup>2</sup> buying.



11.—We fynde by auncient custome that the partie defendannte shall have three dayes grannted to him to his annswer, and that no judgement for defaulte be pronouncd against him before the thirde defaulte.

12.—We fynde it a custome that every dweller of this citie shall, for himself and all his housholde folke, have passadge in the ferrie boat, paying every houshold iiii. d. by the yeare, in consideration of the same.

13.—Also, that fowre men shall passe in an accion of accompte, and, the defendannt being founde giltye or comptable, the plaintiff shall not be driven to have his accion of debt, but shall have execution of the somme founde by the fowre men aforesaid.

14.—Also, if one be attached to any the courtes, and the plaintiff do not enter the next courte day, the arrest is voyde, unlesse both parties assent that the same upon hoape of agrement shall stand in force, having also the consent of the court.

15.—Also, that when surties be taken of any man arrested, that the plaintiff, if he recover, may, at his election, sue execution against the partie arrested, or the surties, or against all.

16.—Also, that, in absence or for lacke of a Sergeantt, every citizen may and ought to arrest and bring before thofficer any that is demanded or challengd for debt or any other cause.

17.—Also, that anny of the Sergeants may arrest anny challengd in the Staple-court, and bring him to the Marshall, and so returning him and his arrest to the said Marshall, the arrest is as sufficient as if it were done by the said Marshall, and so of other officers and other courtes.

18.—Also, that the defendannt in every courte (the Pipoulder Court fol. 111b. excepted) yf he sweare that he will send or go to Dublin for counsel, ought to have fourfen dayes for that counsell, that is called a day of emparlance, yf his accion amount to x. li., or over, otherwise to sticke to thorder of the courte.

19.—Also, where the defendannt is to be condempned upon a nihill dicit, he shall have thre dayes to annswere, before he be so condempned.

20.—Also, that the citie, by auncient usage have a Pipoulder Courte, commonly called the Courte of Delyverance, for the expedition of strangers and for their personall demannde, in which courte the Maior and Balives be Judges, and that if a strannger be sued in any other courte, he may pray that the cause be removed to the said courte, called the Pipoulder Courte, which may and must be so done at the said strannndgers charges, and nothing altered but the title or stile of the courte.

21.—Also, that by like usage in the said citie there is a Court Barron to be kept yearly, beginning at twelve of the clocke the Saturday before Ascension day, for matters under forty shillings Irish, in which courte the two bailives be Judges.

22.—Also, that every childe inhabitant within this citie and suburbes, albeit he be under thage of xxi. yeares, and by consent of his father or next frend, bynding himself apprentice to any, shalbe as well bounde to serve his terme as if he were xxi. yeares at the tyme of such bynding.

23.—Also, that fowre Aldermen shalbe elected surveighours yearly in the Assembly after Michaelmas, which have auctoritie to determine all mischannces and variannces of mearing betwixt thinhabitannts, of which surveighours the Maior may remove at his discretion for that tyme any that is father, brother, or uncle to any of the parties in variannce, in respect that the said surveighours be not sworne that custome was commenced for thincrase of thadministration of justice and dischardging of thofficers of some parte of their charge, because

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thei be judges in divers courtes and have otherwise an over great charge, and also for ease of th inhabitants.

24.—Also, that, upon the committing of any affray, any of th officers, videlicet, the Maior or bailives, for the better preservation of the peace, may committ both the parties before examination of the cause, and if any in such a case will submitte himself, the said officers may assesse his fyne, and if he submitte him not then putting a sufficient pledge to the bailive receavour's handes, thaffray shalbe tried by order of lawe.

25.—Also, that tenannte at will, (dwelling not upon the comon land, ought to be warned half a yere before the tyme appointed for him to departe.

26.—That all "1 \* \* \*

## VIII.

### ACT RELATIVE TO ATTIRE AT WATERFORD, A.D. 1599.

fol. 147.

"Where it is considered by the Maior, Sheriffs, and cittizens of this citie how greatly the city is impoverished and dayly like to decay, that not onely the ablest and wealthiest persons do weare in their attyre no parte or parcell of any thinge wrought within this citie or realme, but also their men-servants, maid servants, and nurses in like manner do weare no other then their maisters, being a chardge intollerable. For remedy whereof and to thend th' inhabitants of this citie may bee withdrawe from idleness and made to work and content themselves with the clothes wrought and made within this realme, it is enacted and established by the Maior, sheriffs and citizens aforesaid, in their dernhundred, holden in the Gildhall of the said citie, the tenth day of October, anno Domini 1599, that from henceforth no nurse, man-servant, or mayd-servant shall weare in their attyre or garment any furr, frendge, lace, silke, or any wollen or linnen, save such as shalbe wrought within this citie or realme. upon payne of forfeiture of all such garments, and their boddies to be imprisoned, there to remayne untill they pay six shillings eight pence as a fine towards the reparacion of the walls of this citie, as often as they or any of them shall offend in that case."

## IX.

### THE "LORDSHIP OF COGG," AT WATERFORD, A.D. 16Q1.

fol. 161b.

"In respect of divers practises used by such as are to serve the Lordshipp of Cogg,<sup>1</sup> and for avoyding the contencions that might growe among them upon that occasion, it is nowe by publick consent of the Maior, Sheriff, and citizens of this, the countie of the citie of Waterford, agreed, enacted and condiscended, that from henceforth the election of the Lord of Cogg shall contynue and passe in this manner, that is to saye, the Maior for the tyme being, the day of the said election, upon such duetic and oath as he hath sworne to the Corporacion, and taking assistance of the Lord of Cogg for the tyme being, or his deputie in his absence, to be sworne to joyne with him, who, together, without favour, love, meede, rewarde, or any respect of kindred or otherwise whatsoever, and according their best knowledges and conscience shall choose fower of the discreetest and ablest freemen, one of them to be elected Lord for

<sup>1</sup> Fol. 111b. ends here; the leaf which contained the matter in continuation to it is missing.

<sup>2</sup> See ante, p. 327, act cxlix., A.D. 1518-19.

the yeere following, according the old accustomed manner and upon whose lott the same shall fall. If the partie after so chosen shall refuse the lordshipp that then never after he shall exercise or have any other office within the citie or franchises or be brought to the councell of the same. And also he shall pay twenty pounds sterling for a fyne to be forthwith levied by the sheriff receiver for the tyme being of his goods and chattells, the moyetie wherof to be to the Corporacion and the other moyetie to the Lord of Cogg, that shalbe made and elected."

## X.

## INCORPORATION OF WATERFORD GUILD, 1626.

"To all Christian people to whom these presents shall come, the Maior, fol. 36b. Sherifes, and cittizens of the county of the city of Waterford send greeting in Our Lord God Everlasting :

Whereas Kinge John, of famous memory, by his letters patents dated at Marlebridge, the third day of June, in the seventh yeere of his raigne [A.D. 1205], amongst other priviledges, graunted to the cittizens of Waterford that they should have and enjoy their reasonable yeeldes, [guilds] and distinguish themselves into severall misteries and fraternities, as the burgesses of Bristoll have used; which graunt of charter, according the auncient usadge, prescription, and custome, tyme out of minde, our moste royal Kinge, Charles, by his letters patentes, dated the six and twentieth day of May, in the second yeere of his Highnes raigne [A.D. 1626], and likewise all his predecessors and progenitors, Kings of England, by their severall letters patents have confirmed.

Wee, the said Maior, Sheriffes, and cittizens, in our publick De[n]e hundred, holden after the feast of St. Michell the Archangell, by our common assent and consent, for the universall good and behoofe of the tradesmen, dwelling within the said corporation, and for the generall government and civility of the common wealth, which may not subsist without artificers and manufactors, have given, graunted, and confirmed, and, for us and our successors, doe give, graunt, and confirme (quantum in nobis est) to the taylors, saddlers, hattmakers, haberdashers, hosyers, broduers, and buttonmakers, dwelling and residing within the city of Waterford aforesaid, that they for ever hereafter shall be one body politticke and one yeelde in name and substance, and, really incorporated, consisting of one maister, two wardens, and of the society, yeelde, and fraternity of taylors, saddlers, hattmakers, haberdashers, hosyers, broduers, and buttonmakers, and that they shall be for ever known, esteemed, and reputed by that name, and by that name shall have perpetuall succession, within the libertyes, precinctes, fraunchises, and suburbs of the said city, and that one of the said yeeld or fraternity shall be yeerly chosen, ordained and elected by the said yeelde or the maior part of them to be maister of the society aforesaid for one whole yeere; and that alsoe two idoneows and decent persons shall be chosen and elected wardens of the said yeelde for one whole yeere, and that the said election of maister and wardens for ever hereafter in the taylors' hall or other convenient place within the said city shall be yeerely upon the feast day of St. John Baptist, and from thence forth shall take upon them the regiment, order, and disposition of the saide yeelde, and before the said maister and wardens shall take fol. 37. upon them the exercise of their said offices, shall make and take their corporall oathes before the Maior of the said city of Waterford, for the tyme being, to discharge, exercise, performe, and accomplish all and

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singuler acts and thinges apertayning to their severall offices, to the uttermost of their power, discrestion and understanding.

"And, for the better execution of the premisses, wee, the said Maior, Sherifes, and citizens have made, ordayned, constituted, and appointed, and by these presents doe make, ordayne, constitute and appoint Donogho O'Fyne, tayler, maister of the said yeeld, society and fraternity and Richard O'Donogho and Peeter Callagane, wardens of the said society, to continue in their severall officis for one whole yeere, if for some reasonable cause they or any of them be not removed, and for misgoverement or other apparant defect, wee do allowe that they may be removeable and deposed by the greater number of the said yeelde, and others chosen in his or their place and places, to supply the residue of the said yeere; and, therefore, for prudense and pollicy of civil government wee have given and graunted to the said maister, wardens, and yeeld, and their successours, that for ever hereafter they may assemble and congregate together, and make wholesome and reasonable lawes and constitutions not repugnant to the lawes and statutes of this kingdome and common wealth, for the better government of the said corporacion and yeelde, and that they may impose fynes and amerements upon any person or persons of the said yeelde, and collect, leveie and convert the same to their common and publicke uses, soe that the said bylawes and constitutions be ratified, allowed, and confirmed by the Maior, Sherifes, and cittizens in their yeelde hall of the said city before any such fynes and amerements be levied or collected, and that any man serving in the said city of Waterford seven yeeres a prentise to any of the company of taylors may, after that he be admitted free, the partie or parties, soe admitted to be free of the said company of taylors, shall, for his said freedome, paye unto the maister for the tyme being, to the use of the company of taylors twentie shillings sterling, and unto the Maior and Sherrifes of the said city of Waterford, for the tyme being, to the use of the corporacion, two shillings and six pence sterling. And that if any man hereafter of the company of taylors doe or shall departe his shopp or standing, to worke in any man's house in Waterford, without itt be to the house of an Alderman, and that in tyme of extremety, that then itt may be lawfull to and for the said maister of the company of taylors for the tyme being to commit the said partie or parties to the citty goale there to remayne till he satisfie and paye to the Maior and Sherifes for the tyme being, to the use of the corporacion, six shillings and eight pence sterling, and unto the maister and wardens for the tyme being, to the use of the company of taylors, six shillings and eight pence sterling.

And that if any man of the company of taylors doe or shall, att any tyme hereafter, upon any occasion, upbraide, scandalize, or speake unbeseeemingly to the maister and wardens for the tyme being, or any other maister that served hertofore, the partie or parties so offending shall forfeite and pay to the Maior and Sherife for the tyme being, to the use of the Corporation six shillings and eight pence sterling, and to the maister and wardens for the tyme being to the use of the company of taylors vi. s. and 8d., sterling, and that the maister of the taylors for the tyme being and all the ensuing maisters and company of taylors shall and may keepe and detain for their wadges all or any worke or workes don by them for the inhabitants of the citty of Waterford untill they be satisfied and paid for their worke or workes soe don by them or any of them. In consideration whereof, if the maister, wardens, and company of taylors, or any of them, for the tyme being, doe or shall att any tyme hereafter worke out a cloacke cloth, a doblett, a jerken, hose, or stockens for the inhabitants of the citty of Waterford, or any of them,

with any faulte or faultes to be founde by the owners of the clothes, that then itt may be lawfull to and for the maister of the taylors for the tyme being to compell the said partie or parties soe offending to make due and full satisfaction to the owners for the trespasses by them committed, and, moreover, the partie or parties so offending shall forfeite and pay to the Maior and Sherifes for the tyme being, to the use of the corporation *vi. s. and 8d. sterling*; and to the maister of the taylors for the tyme being, to the use of the company of taylors, *vi. s. and 8d.*

"And that noe body hereafter being a taylor shall or may worke in Passadge, nor in any other parte of the libertyes of the citty aforesaide, but that first he shall repayre to the maister of the company of taylors for the tyme being in Waterford, paying to the saide maister, to the use of the company of taylors, twentie shillings sterling; and to the Maior and Sherifes for the tyme being, to the use of the Corporation, two shillings and six pence sterling.

"And if any worke contrary to this, that itt shall and may be lawfull to and for the maister and wardeins for the tyme being to enter to any house within the liberties aforesaid, and finding any taylor working in any of those houses, being not free nor lycenced them to apprehend and bringe before the Maior of the citty of Waterford to be committed unto the citty goale untill the partie soe offending paye unto the said Maior for the tyme being to the use of the Corporation, six shillings and six pence sterling, and to the maisters of the taylors for the tyme being, to the use of the company of taylors *vi. s. and 8d. sterling*.

"In witness whereof, the said Maior, Sherifes, and citizens have hereunto fixed [authorized] the common seale of the said citty to be fixed hereunto, the thirteenth day of October, in the yeere of Our Lord God a thousand six hundred twenty and six, and in the second yeere of the raigne of our soveraigne Lorde Kinge Charles, of England, Scotland, Fraunce and Ireland, etc.

"Vera copia, per Johannem Lee, civitatis Waterford Towneclarke, examinata."

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ARCHIVES OF  
JESUITS IN  
IRELAND.

ARCHIVES OF JESUITS IN IRELAND.  
BY JOHN T. GILBERT.

The letters and papers of which a catalogue is subjoined were preserved at Stonyhurst College till transferred in 1866 to the Jesuits in Ireland. The letters are in Latin, with the exception of three in Italian and one in French.

LETTERS.

Dates.	Places.	Names of Writers.	Addressed to.
1576, Jan. 31 -	St. Malo - -	Jacobus Mauricii Deamonis de Geraldinis. <sup>1</sup>	[General of Society of Jesus, Rome.]
1600, Nov. 3 -	[Rome] - -	Robert, Cardinal Bellarmine. <sup>2</sup>	[Idem.]
1605, Feb. 28 -	"E loco mansionis nostræ in Hi- bernia."	David [Kearney], Archbishop of Cashel. <sup>3</sup>	Claudio Aquaviva, General of S.J. Rome.
1605, Oct. 4 -	—	Idem. <sup>4</sup> - - -	[Idem.]
1607, May 1 -	Dublin - - -	Episcopus unus, etc.	P. H. <sup>5</sup>
1607, Sept. 2 -	—	David [Kearney], Archbishop of Cashel. <sup>6</sup>	Claudio Aquaviva, General of S.J. Rome.
1616, July 15 -	"E loco mansionis nostræ in pro- vincia."	Idem. <sup>7</sup> - - -	Muzio Vitelleschi, General of S.J. Rome.
1617, May 26 -	"Ex Hibernia."	„ <sup>8</sup> - - -	Idem.
1618, Sept. 30 -	"E loco mansionis nostræ ex pro- vincia Cassell- ensi."	„ <sup>9</sup> - - -	Idem.
1623, March 8 -	Dublin <sup>10</sup> - -	—	—
1623, Nov. 23 -	"In loco mansionis nostræ."	Thomas [Dease], Bishop of Meath. <sup>11</sup>	Muzio Vitelleschi, General of S.J. Rome.
1624, March 31 -	—	David [Rothe], Bishop of Os- sory. <sup>12</sup>	Idem.

<sup>1</sup> James FitzMaurice, a notice of whom will be found in "Facsimiles of National Manuscripts of Ireland," London: 1888. Part iv. l. p. xxxvi. The above letter is printed in "Ibernia Ignatiana," A Patre Edmundo Hogan, S.J." Dublin: 1890, p. 21.

<sup>2</sup> Appendix I. and "Ibernia Ignatiana," p. 69.

<sup>3</sup> "Ibernia Ignatiana," pp. 180, 189.

<sup>4</sup> P[ater] H[enricus]—Henry FitzSimon, S.J. This letter ends as follows: "Subscripsit: Episcopus unus; Vicarius Generalis unus; Eques Auratus unus; sacerdotes sex." It was printed in "Historiæ Catholicæ Iberniæ Compendium," Dublin: 1890, p. 271, and in "Ibernia Ignatiana," p. 212.

<sup>5</sup> "Ibernia Ignatiana," p. 220.

<sup>6</sup> Appendix II.

<sup>7</sup> Appendix III.

<sup>8</sup> Appendix IV.

<sup>9</sup> Appendix V.

Dates.	Places.	Names of Writers.	Addressed to.
1629, July 20 -	"E loco mansionis nostræ."	Thomas [Walsh], Archbishop of Cashel. <sup>1</sup>	[General of S. J., Rome.]
1630, June 20 -	Venice - - -	Bonaventura Magennis, Bishop of Down and Connor. <sup>2</sup>	[Idem.]
1636, Aug. 24 -	"Ex Regiis Castis."	[Al]bertus O'Donnell, Earl of Tyrconnell. <sup>3</sup>	Idem.
1646, Oct. 22 -	Limerick - - -	Earl of Glamorgan <sup>4</sup>	Vincenzio Carafa, General of S. J., Rome.
1648-9, Jan. 20 -	Kilkenny - - -	Roman Catholic Prelates. <sup>5</sup>	M. Verdier.
1648-9, Jan. -	Ib. - - -	Members of Supreme Council of Irish Confederation. <sup>6</sup>	Idem.
1654, Nov. 17 -	Cologne - - -	Peter Talbot <sup>7</sup>	[Goswin Nickel, General of S. J., Rome.]
1659, May 20 -	London - - -	Anthony Geoghegan, Bishop of Meath. <sup>8</sup>	Idem.
1660, Aug. 26 -	"Ex loco nostri refugii in Hibernia."	Idem. <sup>9</sup> - - -	—
1672, Nov. 22 -	Dublin - - -	Oliver [Plunket], Archbishop of Armagh. <sup>10</sup>	Padre Oliva, [General of S. J., Rome.]
1673, Jan. 30 -	Armagh - - -	Idem. <sup>11</sup> - - -	Idem.
1673, Dec. 29 -	Paris - - -	Peter [Talbot], Archbishop of Dublin. <sup>12</sup>	—
1698, Sept. 15. -	St. Germain - en-Laye.	James II. <sup>13</sup> - -	Général de la Compagnie de Jésus.

<sup>1</sup> Appendix VI.<sup>2</sup> Appendix VIII.<sup>3</sup> Appendix X.<sup>7</sup> Appendix XII.<sup>10, 11</sup> Appendix XIV.<sup>13</sup> Appendix XVI.<sup>5</sup> Appendix VII.<sup>6</sup> Appendix IX.<sup>8</sup> Appendix XI.<sup>9, 12</sup> Appendix XIII.<sup>13</sup> Appendix XV.

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PAPERS.

"Articuli quidam, cum supplicatione, Suae Sanctitati, nomine Irenorum exulum, proponendi:" Address to the Pope from Irish Catholics in exile.—Undated.—[A.D. 1595-8].<sup>1</sup>

"Summariae relationes:" Accounts of affairs in Ireland, from the landing of the Spaniards in 1601, to the end of May [1602].<sup>2</sup>

Statement on Irish affairs addressed, in 1602, to the Papal Nuncio for Ireland, and to be communicated to the Superiors of Jesuit Colleges at Genoa, Bologna, Venice, and Padua. Endorsed: "Patris Gregorii Bathei relationes de rebus Hibernicis." Commencing with account headed as follows: "Reverendissimo et Admodum Religioso Patri, Paulo Lodovico Mansonio, Suae Sanctitatis pro Hibernia Nuncio, de rebus Hibernicis post pactum initum cum Anglis mense Martii [1602], natus Domini Hugonis Mostian, Capitanei."<sup>3</sup>

"Episcopion Doron:" Addressed to James I., King of England, by Peter Lombard, Roman Catholic Primate of Ireland: "Ad Jacobum Primum, Magnae Britanniae, Franciae et Hiberniae Regem Maximam ΕΠΙΣΚΟΠΙΟΝ ΔΟΡΟΝ: Α Petro Lombardo, Archiepiscopo Ardmacae Primate Regni Hiberniae, destinatum ac dicatum pro Religione Patria." Incomplete.—APPENDIX 1.

Regulations of Irish College at Salamanca, 1604.—APPENDIX 2.

Fabricated Bull, dated, Rome, 7 December [1605], with observations in Latin by James White, Vicar-Apostolic.—APPENDIX 3.

"Informatio ex Hibernia:" Account of affairs in Ireland, A.D. 1611, in relation to Eugenius MacMahon, or Matthews, Archbishop of Dublin and transmitted to Archbishop of Armagh, at Rome.—APPENDIX 4.

Declaration by Irish Roman Catholic Prelates, Kilkenny, 27 April 1648, against treaty for cessation of hostilities with Lord Inchiquin.—APPENDIX 5.

"Exemplar censurae latae:" Excommunication by Rinuccini, Nuncio in Ireland, and Bishops of Clogher, Ross, Clonmacnoise, and Down, against adherents to treaty for cessation of hostilities with Lord Inchiquin.—Kilmensie, 27 May, 1648.<sup>4</sup>

List of Irish Roman Catholic Prelates.—Undated.—[Circa A.D. 1654].—APPENDIX 6.

Address to Innocent X., the Cardinals, Prelates and Roman Catholic clergy, from Irish in exile on account of their religion.—Undated.—[Circa, A.D. 1654].—APPENDIX 7.

Declaration of loyalty to Charles II. by congregation of Irish Roman Catholic Prelates and clergy.—15 June, 1666.

Memoranda in relation to doctrines of Sorbonne, etc.

<sup>1</sup>, <sup>2</sup>, <sup>3</sup> See "Ibernia Ignatiana:" 1880, pp. 85, 83, 85, 234.

<sup>4</sup> See "Contemporary History of Affairs in Ireland, 1641-52." Dublin, N. vol. i., p. 194.



Six of the letters in this collection have been published in the work entitled "*Ibernia Ignatiana*," as noted in the preceding catalogue. The others, with that of Cardinal Bellarmín, are given in our Appendix, and the following synopsis indicates briefly the principal matters to which their contents refer. Among the writers were some of the most eminent of the Irish Catholic hierarchy of the seventeenth century, including David Rothe, author of "*Analecta Sacra*;" Peter Talbot, Archbishop of Dublin, who died in prison in 1680, and Oliver Plunket, Primate of Ireland, executed at London, in 1681. The letter of Edward Earl of Glamorgan, better known by his subsequent title of Marquis of Worcester, is noteworthy for the expression it contains of the writer's friendship for the Jesuits.

I. Cardinal Bellarmín, 1600: Decision of Pope Clement VIII., in compliance with request of the Irish, to send an acceptable member of the Society of Jesus to Ireland, after conference with Peter Lombard, Archbishop of Armagh.—Italian.

II. David Kearney, Archbishop of Cashel: 1.—1616. Arrangement of affairs at Rome and Court of Spain. 2.—1617. Delegation of representative to Rome, in reference to recent occurrences in Ireland. 3.—1617–18. Acknowledgment of letter. Expected arrangement [at Madrid] of affairs on which Father Richard Conway has been long occupied. Increased oppression of Catholics in Ireland. Hope that the Pope may obtain liberty of conscience for Catholics in the three kingdoms, or at least for those in Ireland.

III. Letter on state of Ireland, 1623: Severities against Catholics in Dublin and other parts of Ireland. Exclusion from inheritances, and offices, infliction of fines, imprisonment and pillory for nonconformity with Established Church. Suggestion for intervention of Spanish Ambassador at London with King of England, to procure discontinuance of persecution.

IV. Thomas Dease, Bishop of Meath, 1623: Testimony to excellent conduct of Jesuits in Ireland during recent ecclesiastical differences there, as well as at other times.

V. David Rothe, Bishop of Ossory, 1624: Uncertain condition of Catholics in Ireland. Prospect of amelioration and of arrangement in his diocese for Jesuits.

VI. Thomas Walsh, Archbishop of Cashel, 1620: His return to Ireland. Recent conference with the Superior and others of the Irish mission. Necessity for Agents for Ireland at Rome and Madrid. Proposition to contribute towards their expenses.

VII. Bonaventure Magennis, Bishop of Down and Connor, 1630: His arrival at Venice. Application for reception of two theological students from Ireland.

VIII. O'Donnell, Earl of Tirconnell, 1636: Commendation of Philip Clery, student at the Ludovisian seminary, Rome.

IX. Edward, Earl of Glamorgan, 1646: His friendship for the Jesuits. Recommendation of his brother, Lord John Somerset, about to visit Rome.

X. Letter to M. Verdier, Visitor of the Jesuits in Ireland, 1648–9, on excellent conduct of members of that Society during distracted and disturbed times. Signed by Catholic Archbishop of Tuam and six Bishops.

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XI. Letter to M. Vepdier from Members of Supreme Council of Irish Confederation, 1648-9, on prudence of the Jesuits in recent controversy in Ireland between the Nuncio Rinuccini and them.

XII. Communication from Peter Talbot, at Cologne, 1654, by express command of Charles II.: Application to the latter from Irish Catholics in Ireland and in exile to address the Pope with a view to effecting some amelioration in their calamitous condition. Request of the King that the General of the Jesuits will submit to the Pope a proposition to contribute or aid in raising funds to enable him to return to England, Scotland, or Ireland, with an army of Irish Catholics, and that the matter should be negotiated through the Nuncio at Cologne. The King promises, on his restoration, to grant freedom of worship as far as possible in his dominions to the Roman Catholics and to remove the laws against them. Should the Pope not co-operate, his Majesty may have to come to terms with the Presbyterian party, which would be fatal to Catholics in England and Ireland. The King's success, with the Pope's aid, would be most beneficial to Catholic interests in Europe. Objections to Crilly, a Cistercian, who states that he acts at London under authority from Rome. The contents of the communication are known only to the King and the writer.

This letter bears no address, but that it was written to Goswin Nickel, General of the Jesuits at Rome, appears by a copy of an answer to it from him, dated 12 December, 1654, extant among the papers of Lord Chancellor Clarendon, in the Bodleian Library.<sup>1</sup> In it, Nickel expresses his anxiety to serve Charles II. and to relieve the Irish Catholics, but states that the proposition could not be entertained as it would bring the agents of the Society in the three kingdoms into the greatest danger, and that the state of the Pope's health obstructs access to him. Nickel suggests that the King should communicate on the subject, in the first instance, with the Nuncio at Cologne, and promises that he will subsequently co-operate so far as practicable.

XIII. Anthony Geoghegan, Bishop of Meath: 1.—1659: Confused state of public affairs in England on the disposal of Richard Cromwell. 2.—1660: Expectations of the Irish from restoration of Charles II. The writer and others of his order in Ireland live in "caverns."

XIV. Oliver Plunket, Archbishop of Armagh. 1.—1672: Commendations of Stephen Rice, and other Jesuits in diocese of Armagh. Success of Catholic schools recently opened at Drogheda. Apprehensions entertained by Talbot, Archbishop of Dublin. Toleration by the Viceroy Berkley and Essex.—Italian. 2.—1673: Satisfactory selection of Stephen Rice, as Superior of mission of Jesuits in Ireland. Need of residence for Irish novices of the Society.—Italian.

XV. Peter Talbot, Archbishop of Dublin,<sup>2</sup> 1673: Expulsion of Catholic Bishops and ecclesiastics from Ireland. Importance of Jesuits as missionaries there, and want of domicile for them. Charles II. and his brother, James, Duke of York, have given Talbot commendatory letters written by themselves to the King of France.

XVI. James II., 1698: Appointment of Rector for Irish College, Rome.—French.

The letters, in general, bear notes as to the dates at which they were received and in reference to the subjects mentioned in them.

Four of the papers in the collection were, as noticed in the catalogue,

<sup>1</sup> No. 2099: 1654.

<sup>2</sup> Talbot was appointed to the see of Dublin in 1669.

printed in "Ibernia Ignatiana." Of the others which are given in our Appendix the following is a short account :—

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1. Portion of treatise by Peter Lombard, Catholic Archbishop of Armagh, resident at Rome, 1604: Extracts from preface, addressed to James I., on the sufferings of his mother, Mary, Queen of Scots; the King's descent from ancient monarchs of Ireland; gratification of the Irish at his accession; the author's see at Armagh, the most ancient in his Majesty's dominions, is the mother of all the churches in Ireland and the progenitrix of the propagators of Christianity among the Saxons, Picts, and Scots; reports of the King's toleration to the Irish Catholics, his devoted subjects; advice to him to embrace the Catholic faith; expression of the author's loyalty; and monition as to impartial administration of justice. The subjects to be treated of in the work are stated as follows: Description of Ireland and its natural advantages; foundation of Christianity there by Palladius and Patrick; labors of their successors in religion and learning, when Ireland was styled "Insula Sanctorum;" irregularities reformed by Saints Celsus and Malachy, Archbishops of Armagh; transfer of Ireland to English kings; transactions to period of change of religion in England; adhesion of the Irish to the Catholic faith and importance to the King of attaching them to him by allowing the free exercise of that religion.

The title, "Episcopion Doron," was apparently adopted from the "Basilicon Doron," of James I., first printed in 1599. Much of the material of this work of Lombard would appear to have been analogous to that in his "Commentarius de regno Hiberniæ, Sanctorum Insula," written in 1601 and dedicated to Pope Clement V., who died in 1605. Lombard's "Commentarius" was printed for the first time at Louvain in 1632, seven years after the author's death, and republished in 1868 by Cardinal Moran, from the original in the Barberini Archives, Rome. The notices of Lombard and his writings, prefixed to the latter edition do not include any reference to the "Episcopion Doron."

2. Regulations of College of Irish Jesuits at Salamanca, 1604: Extracts: Qualifications and admission of students between the ages of eighteen and twenty-four; form of oath; daily prayers for Ireland; studies during term of seven years; causes for dismissal.

3. Fabricated Bull, 1605, addressed to all "faithfull Catholics in Ireland," in relation to recent oppressive proclamation. Appended are observations in Latin by James White, Vicar Apostolic, who states that the "bull" is carried about by Judges and officials in Ireland, and has been used a pretext for intolerable persecution of the Catholics there. He impugns the authenticity of the document and conjectures it to have been composed by Calvinists. The "bull" is referred to in a letter to the Earl of Salisbury, on the 29th of March, 1606, from Sir Arthur Chichester, Lord Deputy of Ireland, who observed that he did not believe that it had emanated from Rome.<sup>1</sup>

4. Statements on affairs in Ireland, transmitted to Primate of Ireland, at Rome, 1615: Perilous position of Eugene Matthews or MacMahon, Catholic Archbishop of Dublin. Anxiety of the Viceroy and officials for his arrest. Suspicions against him from the connection of himself and his relatives in Ulster with Hugh O'Neill, Earl of Tirone, at whose instance he was appointed to the see of Dublin by Pope Paul V., 1616: Continuous pursuit of Archbishop Matthews; imprisonment of priests and members of religious orders.

<sup>1</sup> State Papers, Ireland, 1606, No. 678, Public Record Office, London.

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5. Declaration of Catholic Archbishops and Bishops, under presidency of the Nuncio Rinuccini, against recent cessation of hostilities with O'Brien, Baron of Inchiquin, 1648.

6. List of Irish Catholic prelates in Ireland, England, France, Spain, Germany and Rome, towards the middle of the seventeenth century.

7. Address to Pope Innocent X., Cardinals and Catholic Church from the Irish, circa 1654: Statement on oppression and projected extirpation of Irish Catholics; deportation to the Bermudas; "transplantation" to Connacht; severe enactments under military rule; pursuit and incarceration of ecclesiastics; slaughter of four prelates,<sup>1</sup> and innumerable priests and members of religious orders; unfounded allegations that the Irish may receive more favor from Cromwell than from their King, of whose consideration for them they have experience in their banishment and wretchedness. Appeal from more than thirty thousand Irish Catholics, in exile and misery throughout Europe, to the Pope and the heads of the Church for aid to enable them to recover their country and to expel from England and Ireland those who labour to extirpate religion, to subvert monarchy and to destroy the Irish race.

## APPENDIX.

### I.

LETTER FROM CARDINAL BELLARMIN, A.D. 1600.

"REVERENDISSIMO IN CHRISTO PADRE MIO OSSERVANDISSIMO,

NOSTRO Signore è risoluto contentare questi Hiberni con mandare in Hibernia un Padre della Compagnia nostra Italiano, e mandarlo da Roma, e che sia a gusto loro. Però mi ha commesso che dica a V.P. che ne elegga alcuni, e conferisca con il Signor Pietro Lombardo,<sup>1</sup> che è il capo delli Hibernesi, e così di quelli se ne stabilisca uno di commune consenso. Con questo mi raccomando alle sue santissime orazioni.

"Dalle stanze li 3 di Novembre, 1600. Di V.P. R<sup>mo</sup> Att<sup>mo</sup> servo in Christo,

ROBERTO CARD. BELLARMINO."

### II.

LETTERS FROM DAVID KEARNEY, ARCHBISHOP OF CASHEL, TO MUZZI VITELLESCHI, A.D. 1616, 1617, 1618.

#### 1.

"ADMODUM REVERENTE IN CHRISTO PATER,

LITTERAS Reverentiæ vestræ, 21 Maii datas, accepimus 6<sup>o</sup> Julii, et gratias agimus pro tanta in nos benevolentia qua placuit Reverentiæ

<sup>1</sup> Malachy O'Queely, Archbishop of Tuam, killed in 1646; Boetius Egan, Bishop of Ross, and Emer MacMahon, Bishop of Clogher, who were hanged in 1650; and Terence Albert O'Brien, Bishop of Emly, executed in 1651.

<sup>2</sup> Peter Lombard, Roman Catholic Primate of Ireland, 1601-1625.

vestræ rebus et negotiis nostris semper favere. Scripsimus ad Reverendum Patrem Oenum,<sup>1</sup> qui curam gerit Collegii Anglicani, ut is consignet aliquot monetæ scuta, triginta quatuor viz. (quæ ex meis aliquot jam annis habet) in manus Reverendi Patris Alfonsi Carilla, ut iis in negotiis nostris hic pro arbitrio utatur. Curabimus (ut monet Reverentia vestra) ut quispiam idoneus negotium sollicitet in Curia Hispanica, et ibi nunc est Pater Richardus Conwæus.<sup>2</sup> Et si Paternitati vestræ congruum videretur, optaremus ibidem hæreret dum totum negotium expediat. Ipse enim, et alius penè nullus, eam rem et novit et semper hactenus tractavit. Quare id Paternitati vestræ unicè commendamus.

“Aliam nobis occasionem præbuit oborta recens hæc in patria quorundam hominum malitia, mittendi quendam in Urbem, qui causam nostram exponat; hunc ut Paternitas vestra amplectatur, ejusque petitionibus, ac negotiis sua, et [oblit.] autoritate patrocinetur, rogo obtestorque. Et quò secretius hæc agantur, eò omninò meliùs. Nec vellem alius hæc intelligeret, nisi qui necessariò illa tractare debet.

“Si Don Baltazar de Zuniga ibi pro suo Domino agat, ille est et fuit in nos semper benevolus, benignus, et liberalis: in cujus mentem memoria illius redire poterit, quod in eadem cum ipso mensa Parisiis pransus est, Dominica Quinquagesimæ,<sup>3</sup> annis abhinc fortassis quatuordecim: cujus manus, aliquo mediante amico, deosculandas meo nomine peroptarem. Interim, Deus Optimus, Maximus Paternitatem vestram et reliquos amicos diu nobis servet incolumes. E loco mansionis nostræ in provincia nostra Cassellensi, die 15 Julii, in Hibernia, 1616.

Reverendissimæ Paternitati vestræ addictissimus,

DAVID, ARCHIEPISCOPUS CASSELLENSIS.”

Addressed: “Magnifico Domino D. Mutio Vitellesci, etc. Romam.”

Endorsed: “Hibernia, Julii [1]616. Archiepiscopus Cassellensis.”

## 2.

“ADMODUM REVERENDE IN CHRISTO PATER,

QUAS ad nos dedit Paternitas vestra 17. Decembris accepimus 25 Maii, quibus favorem in nos vestrum abundè intelligimus, et quantum cordi habeat negotia nostra: quæ si ex animi sententia nobis succedant, vestri hic saltem fient participes emolumenti; et meritò, quia ipsi etiam negotium promovent, quantum in ipsis est. De alio verò negotio à nobis alteri commissio in Urbe eò feliciorem speramus exitum, si illud etiam vestra autoritate, ut ratio dictabit, commendetur. Cæterum hic magis nunc angustiamur quàm hactenus: persecutio enim (ut plenius aliundè intelliget) ratione novi Gubernatoris,<sup>4</sup> qui mira Regi nostro promittit, in dies magis magisque acuitur. Interim orandus est Deus ut nos patientia munire velit. Bissonius vester, proximis hisce diebus nobis hic adfuit, ægrâ satis valetudine, sed infracto animo. Quod reliquum est, Paternitati vestræ opto, quam illa mihi à Deo precata est felicitatem. Ex Hibernia, 26 Maii, 1617.

Reverendæ Paternitati vestræ addictissimus

DAVID KEARNEY, Archiepiscopus Cassellensis.

Addressed: “Magnifico Domino D. Mutio Vitellesco. In Urbem.”

Endorsed: “Hibernia, Archiepiscopus Cassellensis, [1]617.”

<sup>1</sup> Thomas Owens, of Hants, Rector of College of English Jesuits, Rome, died 1618.

<sup>2</sup> Richard Conway, native of New Ross, Ireland, died at Seville, A.D. 1626.

<sup>3</sup> Quinquagesima or Shrove-Sunday.

<sup>4</sup> Sir Oliver St. John, Lord Deputy, Ireland.

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## 3.

"ADMODUM REVERENDE IN CHRISTO PATER,

LITERAS Paternitatis vestræ scriptas 12 Julii recepimus 15 Septembris, quibus quàm erat parata ad negotia nostra promovenda significavit, et recte facit, nam si illa nobis ex animi sententia succedant, vestri hic et alibi et emolumentum inde reportabunt non mediocre. Quare uti prædecessor vester nobis semper favebat, non minorem favorem expectamus nobis fieri a Paternitate vestra, quem præ cæteris adamamus et cujus familiaritate sepius uti sumus. Et quia Reverendus Pater Richardus Conwæus hoc negotium octo jam annis tractavit, è re vestra ac nostra erit non amovere illum loco, donec totum negotium uti benè incepit feliciter absolvat. Hæc sufficiant. Oremus, quia in graviore nunc persecutione sumus quam hactenus unquam, Suae Sanctitatis partes erunt nostrum negotium pro libertate conscientiæ obtinenda pro tribus istis regnis vehementer urgere, aut si fieri non possit pro tribus, saltem obtinenda pro hoc nostro Hiberniæ regno, propter multitudinem Catholicorum, ac eorundem in fide Catholica constantiam his centum ferme annis, et verendum sane nisi hanc libertatem sua Sanctitas urgeat pro hoc regno, illamque obtineat tanquam conditionem pernecessariam, ne plurimis ex nostris trahantur—velint, nolint—ad Protestantium ecclesias; uti latius significamus per literas ad Illustrissimum Protectorem. Valeat semper Paternitas vestra in Christo Jesu. E loco mansionis nostræ in provincia Cassellensi, die ultima Septembris, 1617 [1618].

Vestræ Paternitati addictissimus,

DAVID, Archiepiscopus Cassellensis."

Addressed: "Reverendissimo in Christo P. P. Mutio Vitelesci Societatis Jesu Præposito Generali. Romam."

Endorsed: "Hibernia. Septembris [1]618. Archiepiscopus Cassellensis."

## III.

LETTER ON STATE OF IRELAND, A.D. 1623.

"COGNATE: Scripsi ad te circa festum S. Michaelis de statu patriæ nostræ, admodum afflictæ et oppressæ. Ne vero meæ literæ ad te non pervenissent, aut si pervenerint, minime res quæ ad afflictos Catholicos pertinent, mente cogitares, tibi iterum super eadem re, aliisque hoc in memoriam revocandum esse duxi. Revera omnibus pupillis<sup>1</sup> qui in Regis manu sunt, minæ intentantur de suscipiendo primatus regii juramento, quando libertatem a Rege postulant. Et quidem multi juvenes hæredes omnino contra conscientiam jurarunt, alioqui contenti esse debebunt carere fructu et possessione hæreditatis ac terrarum suarum quousque jurent.

"2<sup>o</sup>. Omnes Maiores, magistratus, alique officiales ministeriales ac juridiciales, in civitatibus oppidisque corporatis in hoc regno annuatim electi, compelluntur invenire ministros officiales huic instituto conformes, sub pœna libertatum amittendarum (quod contrarium est tenori cartarum liberæque electionis), atque ita juramentum supradictum jurare.

"3<sup>o</sup>. Nullo viro nobili (magnatibus exceptis) permittitur ut Romanus Catholicus nominetur.

"4<sup>o</sup>. Omnes sacerdotes, alique jamdudum religionis nomine incarcerati, adhuc in arcta custodia sunt. Novus autem Prorex<sup>2</sup> rogatus a

<sup>1</sup> Court of Wards in Ireland, established A.D. 1617.

<sup>2</sup> Henry Cary, Viscount Falkland, Lord Deputy of Ireland.

magnatibus nostris ut libertatem aliquam concedat, respondit, se omnino neque tulisse secum ex Anglia, neque illinc talia mandata ex quo huc appulit, accepisse: se vero ob nullius gratiam velle suæ commissionis fines transgredi.

"5°. Excommunicationes omni cum rigore ac severitate ampliantur atque ministrantur contra cives Dublinenses aliosque Catholicos. Coguntur autem ne corpora eorum juridico processu prehendantur, intra domesticos parietes sese ut captivos et notorios maleficos continere. Officinæ, cellæque occluduntur, ita ut plane prohibeantur ullum vinum aut alias mercedes vendere.

"6°. [Per] Statutum<sup>1</sup> factum anno primo Elizabethæ quo Recusantes dominicis diebus, aliisque festis per annum, in hæreticis ecclesiis Divinis officiis se præsentare sistere jubentur, toties quoties mulctantur duodecim denariis vel duobus Julii.<sup>2</sup> Atque hæc mulcta stricte exigitur, ita ut nullus Catholicus, quicunque sit, excipiat. Hinc effectum est ut pauperes plane ad mendicitatem venerint: pecunia autem magno numero in regium ærarium refertur.

"7°. Omnes homines, cujuscunque conditionis fuerint, absque ulla intermissione citantur processu juridico et sistuntur in curiis consistorialibus cujusvis diocesis in qua habitant, eo nomine, quod liberos suos sinunt a sacerdotibus baptizari aut clandestina matrimonia (sic enim ea vocant adversarii) contrahunt: ut pro arbitrio Episcoporum suorum aliorumque ministrorum mulctam sustineant. Qui vero non sunt sustinendo, coguntur absque limitatione ulla sub pœnis gravissimis, ad crucem<sup>3</sup> stare valde ridicule in foro vestiti linteaminibus, similiter etiam in parochialibus ecclesiis ad certas horas, cartis affixis in frontibus eorum litteris majusculis 'Pro matrimoniis et baptismis contra Regis injunctiones.' Postremo, nemini licet homini dicto aperire scholam publicam, nec ulli nobili permittitur liberos suos aut fratres in transmarinas regiones mittere ut aliquam artem, scientiam aut facultatem addiscant. Unde fiet ut cum tempore nostrates necessario Protestantes efficiantur; sicut omnes etiam juvenes hæredes nunc ita educantur ignari, ut jus suum in terris ac possessionibus suis tueri non possint. Hucusque res complexus sum superiorum litterarum mearum. Ab illo tempore mulcta imposita pro baptizandis parvulis jam supradicta cum summo contemptu exercetur. Oppidani Droghedæ, una cum uxoribus, famulis, liberisque plenæ ætatis (nullo excepto) recusationis nomine citati fuerunt, et a juratis duodecim conformibus viris, rei peracti sunt, unde fit quod in præsentem sunt periculo ut omnia mobilia sua perdant. Ac sine dubio brevi eveniet, ut hoc modo (si pergatur) omnes suas possessiones ac fundos exhauriant. Hæc omnia jam facta sunt per Dominicum Sarcofield,<sup>4</sup> virum equestrem et nostratem, ejusque associatos octo diebus antequam has ad te darem. Præterea in provincia Louthæ<sup>5</sup> jurati jussi sunt nomina dare omnium Recusantium. Cum autem tres ex juratis essent Catholici, nollentque aliis juratis consentire in Recusantibus præsentandis (erant autem, præter hos tres, jurati satis multi) in carcerem coniecti sunt per unam hebdomadam, ea lege, ut, nisi idoneos prædes darent, quod se sisterent in

<sup>1</sup> The statute here referred to appears to be that of the second year of Queen Elizabeth, A.D. 1560: "An Act for the uniformity of Common Prayer and service in the church, and the administration of the Sacraments."—"Statutes passed in Parliaments held in Ireland," vol. i., p. 284. Dublin: 1786.

<sup>2</sup> Julio, Giulio, an Italian coin, value sixpence.

<sup>3</sup> The "High Cross," Dublin. See "History of City of Dublin," vol. i., p. 213. Dublin: 1854.

<sup>4</sup> Sir Dominic Sarcofield, Baronet, Chief Justice, Common Pleas, Ireland.

<sup>5</sup> County of Louth.

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Cubiculo Castri,<sup>1</sup> sequenti termino jurisdictioni, expectarent (gravi mulcta imposita) mitti confestim ad carcerem Dublinensem. Similiter etiam actum est juratis in provincia Cavan: porro omnes Commissionarii in mandatis habuerunt, ut omnem adhiberent diligentiam, in suo quisque circuitu, quærantque de rebus Recusantium: qui modus agendi ante hanc ætatem incognitus ac inauditus est. Proregis turma equorum et agmina satellitum a civibus Dublinensibus, non sine maximo sumptu aluntur. Multa sunt alia quæ queri possumus, modo sciremus quo pacto sublevari possint ac reformari. Sed ad præsens hæc sunt satis. Rogo te, igitur, per Christi Passionem et per amorem patriæ nostræ, ut has litteras cum Illustrissimo Domino Legato Hispanico communices, ea spe ut pro sua charitate dignetur apud Regem nostrum in hac causa auctoritatem suam interponere, faciatque ut ab hac servili miseria et captivitate qua nunc affligimur, liberemur, quo autem successu res fiet, obsecro: ut quam citissime intelligam.—Dublino, 8 die Martii, 1623."

No signature or address.

Endorsed: "Anglia, 1623. De presenti persecutione Hiberniæ."

#### IV.

LETTER FROM THOMAS DEASE, BISHOP OF MEATH, A.D. 1623.

"Pax Christi.

"ADMODUM REVERENDE IN CHRISTO PATER,

VISIS Paternitatis vestræ literis, ad Reverendum Patrem Superiorem directis, continentibus quorundam religiosorum querelæ exhibitæ adversus Patres Societatis in hac nostra Hibernia commorantes, inde ansam de rei veritate inquirendi sumpsi, et facta per me diligenti totius negotii indagine, nihil præter meras calumnias adversus vestros Patres comperi, quippe qui litem cum nemine, sed amicitiam cum omnibus, quantum in ipsis est, colunt impænitentiarum; quam etiam semper intactam a primo sui in hanc insulam adventus instante in hanc usque horam coluerunt. Verum est, quod sesqui abhinc anno lis maxima adversus vestros intentata fuerit a Patribus Ordinis Divi Francisci, occasione erigendæ sodalitatæ Beate Virginis, quam vestri ad promovendam in omni sexu et ætate devotionem foelici successu erexerunt. In qua quidem controversia, vestri multas ac graves passi sunt injurias et molestias, in mediis persecutionis fluctibus, a præfatis religiosiis, eorumque iudice conservatore, qui ausu temerario rebus Catholicorum periclitantibus, et persecutione ingravescente, vestros cum publico totius regni scandalo, excommunicationis sententia ferire per nefas non est veritus; ad hoc, insolito prælatorum religiosorum impetu, prorsus impulsus, seu potius compulsus. Quæ omnia interim cum insigni patientia et silentio vestri pertulere, in obsequium pacis, eligentes potius suo cedere jure, quam cum populi offendiculo jus suum tueri. Illa sola vice, et propter opus Christianæ charitate dignum, vim non vi, sed pertinaci patientia vestri in Domino expulerunt. Quod autem spectat ad Dominum Balthazarem Delahoyd, Vicarium Generalem<sup>2</sup> Diocesis Ardmachanæ, nihil habuerunt vestri omnino commune, quantum ad interdictum, cui subjecit dictorum religiosorum oratorium, pro jurisdictionis Episcopalis justa defensione, nisi quod sint illi familiares, tanquam amico suo singulari, qui vestrorum auxilio et consilio frequenter in sui gregis regimine utitur. Ex qua

<sup>1</sup> Court of Castle-Chamber.

<sup>2</sup> The Roman Catholic Archbishop of Armagh, Peter Lombard, at this time resided at Rome. See pp. 346, 364.



quidem consuetudine, crediderim scaturiginem calumniarum adversum vestros manasse; quod scilicet, quidquid molitur dictus ille Vicarius adversus quempiam, hoc nonnisi vestris instigantibus, et consulentibus, molitur; quo nihil calumniosius, aut a veritate alienius, excogitari potest. Quòd si ita res haberet, ut ab adversa parte in medium profertur, certe non video, quare non potius laudi quam vitio, vestris vertaretur, si rogati, tanquam docti, cordati et in rebus agendis apprime versati, ab Ordinariis locorum, ut in re gravi, suam sententiam liberè dicerent, adessentque rogantibus suo salubri consilio. Quis enim, nisi omnino ignarus, ignorat quemlibet probum Christianum lege charitatis teneri, ut a proximo rogatus, illi in re justa (qualis est in questione dubia directio) manum præbeat viamque doceat. Durum itaque atque iniquum videtur culpæ in vestris, si faciant, quod sine culpa a nemine omitti aut negari potest. Cæterum, ut paucis multa complectar, vestri in his occiduis Europæ partibus, in pietate castisque moribus conspicui sunt; strennique atque indefessi cooperatores nostri in vinea Dominica colenda, qui didicerunt (quod et opere præstant) cum grano salis, pro rerum, locorum, et personarum qualitate, sese tempori atque animarum utilitati accommodare, ac inoffenso pede cautè ambulare. Utinam in his rerum apud nos procellis placuisset aliorum Ordinum præpositis, suos subditos hortari seu potius illis in virtute strictæ obedientiæ præcipere, ut deinceps a dissidiis, calumniis, et obloquiis absterneant, Deoque vacare cum mansuetudine, humilitate et patientia, studeant, sicut decet religiosos Deum timentes ac diligentes; et quemadmodum vestri in omni occasione sese gerere optimè noverunt. Missis præterea plurimis præclaris facinoribus, quas a vestris quotidie apud nos patrantur, hæc pauca currenti calamo scribenda duxi, ut vestram Reverentiam certiorerem redderem de nuda et pura rei de qua agitur veritate, et ut vestrorum innocentiam ab iniquis obtrectantium labiis et calamis, pro modulo meo vindicaret; in quibus nil penitus testificor, præter id quod vidi, audivi ac certa mea scientia novi. Vale igitur in Domino, Reverende admodum Pater, oraque si placet Deum pro me, qui sum, et futurus sum, in omnem æternitatem,

Paternitati vestræ Reverendæ servus ad omnia paratissimus,  
THOMAS, MIDENSIS Episcopus.

Datum in loco mansionis nostræ, 23 Novembris, 1623."

Addressed: "Reverendo Admodum in Christo Patri, P. Mutio Vitelleschi, Societatis Jesu Generali, Romæ."

Endorsed:—"Hibernia, 1623.—Reverendissimus Dominus Thomas, Episcopus Midensis, 23 Novembris.—Immerito conquiri Patres Franciscanos de Societatis hominibus, quos valde laudat."

## V.

LETTER FROM DAVID ROTHE, BISHOP OF OSSORY,<sup>1</sup> A.D. 1624.

"REVERENDISSIME PATER,

Ex quo vestra Reverendissima Paternitas assumpta erat ad universæ Societatis gubernationem, frequens mihi cogitatio incidebat renovandi memoriam veteris notitiæ ne dicam necessitudinis, et dum aptam salutandi materiam opperior labuntur anni et lustra propemodum. Una apparebat nuper occasio bene opinandi, et de rebus nostris foeliciter

<sup>1</sup> See "Facsimiles of National MSS. of Ireland." Part IV.-2. London: 1884. Plate XLVII. An English letter of Bishop Rothe, written in 1628, is printed at page 568 of Appendix to Fourth Report of this Commission, 1874.

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ominandi si diu tractatum inter principes matrimonium annuente Sede Apostolica lætum sortiretur exitum. Tunc utique cogitandum serio foret de stabili aliqua fundatione pro Societatis vestræ hominibus; ut quam nunc cursim per varias provincias et dioceses operam impendunt sane frugiferam nationi, eandem navarent cum majori incremento et proventu, fixis hinc inde sedibus et refugiis. Sed has cogitationes ad partem properantes, non intersecant ut speramus, impediunt tamen et remorantur diuturnæ illæ et pendulæ nostrorum principum consultationes quæ jam in Comitiorum fornace in Anglia coquuntur; ut ipsi etiamnum hæreamus incerti de consiliorum fine et negotiorum eventu. Nec satis nobis constat quo tendant universa molimina; utrum ad exitum rei Catholicæ in nostris partibus (quod Deus avertat) an potius ad salutem et solamen Catholicorum. Edictum proscriptionis nostræ in Januarii publicatum, et aliæ quædam subsecutæ machinationes terrorem injecerunt nostris; spei tamen meliorum temporum scintillam aliquam sub cineribus foveant sermones et signa quædam ambigua quæ sollicitis animis trahuntur in partem magis propitiam. Et [ja]m nos solatur fiduciæ vestigium de pacifici Regis indole, nostri adversarii metu anguntur et sibi minus augurantur. Interim, moderatè nostra munia peragimus.

"Quocunque autem vergat rerumstrarum status, carere non possumus industria, pietate, et eruditione Societatis, quæ ut in aliis hujus regni lateribus agnoscere debet apprimè necessaria: ita in ea civitate: diocesi, unde, utrumque muneri impar, ego nuncupor, opportunè eandem experior et salutiferam. Et ni fallor in mentis augurio, ac deerit ibidem ubi poterit tabernaculum figere, quando tempora succurrerint prosperiora. Deus omnia ad suum honorem et gentis hujus salutem dirigat, vestramque Reverendissimam Paternitatem diu sanam et incolam tueatur. Pridie Kalendas Aprilis. Anno MD[C]XXIV.

Reverendissimæ vestræ Paternitati

Deditissimus in Christo Domino

DAVID ROTHUS, Ossoriensis E[piscopus]."

Addressed: "Reverendissimo in Christo Patri, P. Mutio Vitellesco Societatis Jesu Præposito Generali, Romam."

Endorsed: "Hibernia. 1629. Reverendissimus Dominus David Rothus Episcopus Ossoriensis. 31 Martii. Excusat se quod tanto tempore Societatis Generalem non salutaverit. De spe restituendæ religionis suo in Societatem affectu. Sperat in sua diocesi, cui indignus præfatus sedem Societati inveniendam pacatis temporibus."

## VI.

LETTER FROM THOMAS WALSH, ARCHBISHOP OF CASHEL, A.D. 1634.

"REVERENDISSIME PATER,

DE progressu itineris in patriam, de fratris impulsu, et patri in me humanitate per Patrem Batheum,<sup>1</sup> procuratorem missionis. Paternitatem vestram Reverendissimam certiore reddidi: habeo nunc scribere, quod in cursu visitationis suæ me inviserit Reverendus Admodum Pater Robertus Nugentius, vestræ Missionis Superior, et cum eo Consultores ipsius Patres Barnabas Carnæus<sup>2</sup> et Walterus Wale,<sup>3</sup> quibus

<sup>1</sup> William Batho, Dublin, Jesuit.

<sup>2</sup> Barnabas Carney, of Cashel, Jesuit, resided for a time at Antwerp and L<sup>o</sup>. He was author of "Heliotropium, seu Conciones," published at Lyons in 1632 and at Paris in 1638. Carney is stated to have also written unpublished Latin discourses on the death of Thomas, Earl of Ormonde.

<sup>3</sup> Jesuit, of Cashel, nephew of Barnabas Carney.

et adjunctus est Pater Johannes Baptista, quo in congressu, inter alia, ipse proposui modum promovendi vestram in hoc regno missionem, quæ mihi sanè cordi est: isque optimus, unicus et maxime efficax visus est (prout coram Paternitati vestra Reverendissima exposueram, id consilium approbante), nimirum ut selectus aliquis in Urbe maneat, qui Superiori Missionis aliisque transmarinis patribus corresponderet, et pro nata occasione invigilaret quid pro Missione præstari posset, quid Paternitati vestræ Reverendissimæ proponeret, quidque demum in mandatis acciperet ultro citroque significaret. Deinde ut alius Madriti in Curia Catholica Majestatis constitutur, cujus procuratore indigentia Missionis æque ac Seminariorum sublevetur. Ac ne hic Collegio oneri sit, per me licet licebitque illi consignare ex pensione mea centum ducatos singulis annis, ad demonstrandam tantilli æris minuto bonam animi mei in vestros propensionem. Hoc si concesserit Paternitas vestra Reverendissima ut duos a Superiore nominandos illis in locis constituat, audeo non modo sperare, sed et promittere fore, ut hæc Missio, ejusque Seminaria ac negotia indies efflorescant: cum alioquin (ut ingenue fatear) tanta sit oppressio ac afflictio hujus patriæ, ut non videam qua meliore ratione juvari possit. Quare obnixè Paternitatem vestram Reverendissimam rogo, ut modum hunc ac rationem observari faciat. Hoc Patres, hoc Seminaria, hoc afflicta ipsa patria, summis exoptat votis et postulat. Quod superest, Deum Optimum Maximum precor ut Paternitatem vestram Reverendissimam diu servet incolumem, cujus precibus et sacrificiis me valde commendo. E loco mansionis nostræ, 20 Julii, 1629.

“Paternitati vestræ Reverendissimæ addictissimus,  
THOMAS, Archiepiscopus Cassilensis.”

Endorsed: “Hibernia. 1629. Illustrissimus et Reverendissimus Thomas, Archiepiscopus Cassellensis. 20 Julii. De suo itinere, etc.”

## VII.

LETTER FROM MAGENNIS, BISHOP OF DOWN AND CONNOR, A.D. 1630.

“REVERENDISSIMÆ PATER,

VENETIAS, Deo duce, salvus attigi. Non possum non his paucis et benevolentiam, et affectum effusissimum Reverendissimæ vestræ in me Paternitatis agnoscere, quem non alia re promereri potui quam sincero quodam in Paternitatem vestram vestrumque sanctissimum Ordinem affectu, et cultu; quem ego quacumque data occasione semper reipsa probabo. Jam rogo extremo me hoc beneficio obliget, ut Hugonem Davetum, Bernardumque, ejus fratrem, ad studia Theologica evocare dignetur, id vere maxime postulante afflictæ patriæ necessitate. Deus Reverendissimam Paternitatem vestram diu incolumem conservet Ecclesiæ et religioni. Venetiis, 20 Junii, 1630.

Reverendissimæ Paternitati vestræ Addictissimus  
FR. BONAVENTURA MAGNESIUS,  
Episcopus Dunensis et Conorensis.”

Endorsed: “Hibernia, 1630. Reverendissimus Fr. Bonaventura Magnesius, Episcopus Dunensis et Conorensis. Venetiis, 20 Junii.”

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## VIII.

LETTER FROM O'DONNELL, EARL OF TIRCONNELL,<sup>1</sup> A.D. 1636.

"REVERENDISSIME PATER,

INNUMERA Societatis Jesu in nationem nostram Hibernicam, tam hic in Belgio quam in aliis locis, collata beneficia, morum ac disciplinarum juventutem præceptis imbuendo, suo jure nos provocant et gratias exhibentes si non re (quas temporum iniquitas et exilium totum ob orthodoxæ fidei defensionem non permittit) verbis saltem Societatis Superioribus, præsertim Reverendissimæ Paternitati vestræ, gratos et obligatos nos agnoscamus. Quam obligationem ego libenter agnosco, et illius Seminarii Romæ ab Eminentissimo ac benignissimo Cardinale Ludovisio piæ memoriæ in utilitatem Hibernicæ juventutis erecti, Divinæ Providentiæ calculo curam Societati commissam esse arbitror, unde uberrimos fructus tempore messis suæ Ecclesiam D. præcipue in Hibernia, collecturam non dubito; ex qua quendam juvenem Philippum Clery<sup>2</sup> in illo Seminario sub Patrum manu, literarum operam dare intelligo, quem præceptoribus suis a Reverendo Patre Rectore, accedente Reverendissimæ Paternitatis vestræ favore commendatum esse velim. Pluribus implicitam gravioribus negotiis Reverendissimam Paternitatem vestram interpellere supersedeo; quam Deus Optimus Maximus, magno suæ sanctæ Ecclesiæ bono, ac Christiani orbis commodo, in multos annos prosperam ac incolumem conservet quod ex animo voveo. Ex Regiis castris, die 24 Augusti.

Reverendissimæ Paternitatis vestræ obsequissimus filius,

[AL]BERTUS, Comes de Tyrconnell.

Reverendissimo Patri, Generali Societatis Jesu."

Endorsed: "Hibernia, 1636, 24 Augusti. [AL]BERTUS, Comes de Tyrconnell, ex castris. Gratias agit pro beneficiis in nationem Hibernicam ratione Seminarii collatis. Commendat unum alumnum Philippum Clery."

## IX.

LETTER FROM EDWARD, EARL OF GLAMORGAN, A.D. 1646.

"ADMODUM REVERENDÆ PATER,

IMPENSISSIMUM studium et amorem meum erga Societatem Jesu. Admodum Reverendæ Paternitati vestræ non incognitum esse spero. Quod nisi esset, unius epistolæ fines longè transgrederer, si id verum exprimere conarer, cui nullum statui posse terminum profiteor. Etenim igitur non verbis agendum censeo: animique sinceros indices meos esse actiones cupio. Fratri<sup>3</sup> meo carissimo proinde vices defero, meo nomine (quod ipse coram præstare longè mallet), Admodum Reverendæ Paternitatis vestræ manus deosculetur, ac mandata excipiat. Quicquid gratiæ et opis conferre Admodum Reverendæ Paternitas vestra dignata fuerit, id mihi ipsi impensum existimabo, nullamque gratiæ animi testificandi occasionem prætermittam; utpote cui nihil magis votis est quam ut palam mortalibus omnibus testari mihi liceat quæ vere et unice sim,

Admodum Reverendæ Paternitati vestræ,

Ad omnia obsequii jura addictus planèque devotus,  
Limerici, 22 Octobris, 1646. GLAMORGAN."

<sup>1</sup> Albertus Hugh, son of Rory O'Donnell, Earl of Tirconnell, and Brigid Fitzgerald, daughter of Henry, Earl of Kildare.

<sup>2</sup> The O'Clerighs of Donegal were hereditary chroniclers to the O'Donnells.

<sup>3</sup> Lord John Somerset. See p. 279.

Addressed : "Admodum Reverendo in Christo Patri, Patri Vincentio Carafæ, Societatis Jesu Præposito Generali."

Endorsed : "Hibernia, 22 Octobris, 1646. Illustrissimus Comes Glamorganus, nunc Marchio Vigorniensis,<sup>1</sup> Generalis armorum, significat magnum suum affectum erga Societatem. Mittit Romam fratrem suum ad deosculandas manus Paternitatis vestræ. Commendat ipsum ac ipsius negotia Paternitati vestræ. R[ecpta] 20 Aprilis."

## X.

LETTER TO M. VERDIER FROM IRISH PRELATES, A.D. 1648-9.

"Exemplar literarum scriptarum ad Patrem Mercurium Verdier, Visitatorem Societatis Jesu in Hibernia, a Reverendissimis et Illustrissimis Episcopis :

'ADMODUM REVERENDE PATER,

Cum intellexerimus Paternitatem vestram ex directione Sanctissimi Domini, per Admodum Reverendum Patrem Generalem vestri Ordinis, fuisse missam in hoc regnum ad inquirendum et examinandum quo modo religiosi Patres vestræ Societatis hisce distractis et turbatis temporibus sese gesserint, et nunc gerunt, et cum videamus Paternitatem vestram sinistris informationibus ab Illustrissimo Nuntio,<sup>2</sup> apud quem fuit Galviæ,<sup>3</sup> tum de nobis tum de ipsis Patribus, fuisse præoccupatam, notum facimus vestræ Paternitati quod Patres vestri modestè, religiosè, prudenter semet gesserint cum nostra et communi omnium satisfactione et edificatione per conformitatem animarum et unionem quam inter se servaverunt et aliis monstrarunt : nullis turbis, molestiis, vel seditionibus se immiscendo : quas ob causas nos et totum regnum magnas illis et vestro Ordini debemus gratias. Quod si aliter quam fecerunt semet gessissent, tum se, tum posteros suos, exosos in hoc regno reddidissent, sicut fecerunt aliorum Ordinum non pauci regulares, qui severis nostris monitionibus et decretis refractarii, inter seipsos divisi, et cum omnium scandalo, factiosi, seditiones, turbas, cædes, conjurationes per regnum procurando, seipsos et suos Ordines traxerunt in magnas angustias, et inextricabiles difficultates, de quibus nos cogimur strictam exigere rationem, et statuere condignam poenam pro remedio. Quapropter hortamur Paternitatem vestram ut Admodum Reverendo Patri vestro Generali significari faciat quatenus causa vestrorum Patrum hic ita est conjuncta cum nostrâ, quod teneamur illam tanquam nostram sustinere, nec posse contra illos quidquam a sua Paternitate statui, quod in nostram condemnationem non cederet. Quod ab ejus prudentia longè abesse nobis persuademus, præsertim cum debeamus causæ nostræ simul et ipsorum æquitatem Sanctissimo Domino ac toti mundo probare. Paternitatis vestræ fœlicitatem ac incolumitatem precamur nos—

JO. ARCHIEPISCOPUS TUAMENSIS.<sup>4</sup> — DAVID OSSORIENSIS.<sup>5</sup> — THOMAS MIDENSIS.<sup>6</sup> — FRANC. ALADENSIS.<sup>7</sup> — EDM. LIMERI-  
CENSIS.<sup>8</sup> — AND. FINIBORENSIS.<sup>9</sup> — OL. DROMORENSIS.<sup>10</sup>

Kilkennia, 20 Januarii, 1648[-9].

"Notandum est in Hibernia annum tantum inchoare 25 Martii."

<sup>1</sup> Lord Glamorgan succeeded his father as Marquis of Worcester in 1646. See p. 498.

<sup>2</sup> Rinuccini.

<sup>3</sup> Galway.

<sup>4</sup> John de Burgo, Archbishop-elect of Tuam.

<sup>5</sup> David Rothe, Bishop of Ossory.

<sup>6</sup> Thomas Dease, Bishop of Meath.

<sup>7</sup> Francis Kirwan, Bishop of Killala.

<sup>8</sup> Edmund O'Dwyre, Bishop of Limerick.

<sup>9</sup> Andrew Lynch, Bishop of Kilfenora.

<sup>10</sup> Oliver Darcy, Bishop of Dromore.

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## XI.

LETTER TO M. VERDIER FROM MEMBERS OF SUPREME COUNCIL OF  
IRISH CONFEDERATION, 1648-9.

"Exemplar epistolæ quam misit Supremum Consilium ad Patrem Mercurium Verdier, Societatis Jesu in Hibernia Visitatorem: Ex Anglico in Latinum fideliter conversæ:

'REVERENDE ADMODUM PATER,

AUDIVIMUS adventum tuum in hoc regnum et lætati sumus præsertim cum audivimus te huc venisse ut informationem faceres ratione qua vestri Patres se gessissent in ultima controversia quæ contigit inter Dominum Nuntium et nos. Et quia omnes, qui in his tumultibus eandem agendi rationem tenuerunt, sunt æqualiter involuti in materia, et causa illorum æqualiter agitur, nihil majori affectu cupimus quam ut novus rei status omnibus innotescat. Atque ita non possumus non mirari singularem prudentiam et zelum Generalis vestrae Societatis in delectu quem fecit hominis prudentiæ hujus, qui ut testis oculatus potest ipsi reddere certam rationem de hisce nostris actionibus et refutare falsos rumores quos novimus sparsos contra nos, et contra eos qui nobis hæserunt, ab his qui nobis adversantur. Et attendentes quam insignis fuerit vestrorum Patrum prudentia, doctrina, et vita exemplaris in tempore gravissimarum persecutionum, quam utiles sint Religioni Catholice in Hibernia et quam religiose ac prudenter se gesserint his ultimis temporibus, nec dederint ullam causam offensionis aut scandali populo, fecerunt plures utriusque cleri sæcularis et regularis, non possumus sibi injustitia abstinere quominus damus illis hoc bonum testimonium quod juste debetur ipsis, nimirum, eos, si se gessissent in his turbis ac tumultibus sicut plures alii utriusque cleri, et magnum præjudicium regno, et sibi ipsis ruinam fuisse creaturos. Et maximè judicavimus expedire tibi hoc notum fieret, optantes ex toto corde et affectu ut de his vestri Generalis et omnes alii certiores fiant vestri Ordinis Patres ut sapienter se gessisse ut meruerint a nobis et magni fieri et diligere.

Vestri valde fideles amici,

PHILIM O'NEILLE.  
ALEXANDER MACDONNEL.  
RICARDUS BELLINGS  
GODEFREDUS BROUNE.  
GERALDUS FENNEL.  
P. BRYAN.

MOUNTGARRET.  
DILLON.  
N[ETTERVILLE].  
LUCAS DILLON.  
RICARDUS BLAKE.

Kilkennia, 23 Januarii, 1648[-9].

"Notandum est illos qui subscripserunt esse omnes illos Consiliarios qui nominati sunt a Comitibus ut remanerent Kilkennia ut assistere Domino Ormonio, Proregi, et omnia negotia majoris momenti definirent.

## XII.

LETTER FROM PETER TALBOT, A.D. 1654.

"Pax Christi.

"REVERENDE ADMODUM IN CHRISTO PATER NOSTER,

Ex mandato expresso Regis Britanniarum scribo ad Paternitatem vestram quæ sequuntur. Hiberni Catholici, tam illi qui sunt in patria quam qui foris magno numero exulant, instantanter rogant Majestatem suam (et quidem qui in Hibernia sunt per nuntium expressum, alii omnes

per libellum supplicem) dignetur significare summo Pontifici suum erga ipsos affectum voluntatemque favendi religioni Catholicæ; quo uti ipsi sperant fiet ut Sua Sanctitas animum quoque adjiciat ad subveniendum extremæ religionis ac gentis necessitati. In hunc finem edidere manifestum inclusum<sup>1</sup> quod ad Paternitatem vestram mittit serenissimus Rex, ut Summo Pontifici status fidei ac Hibernorum omnium innotescat; quiquidem talis est, ut sine gravi religionis nota negligi non posse videatur. His precibus tandem ac rationibus Catholicorum motus, Rex voluit tentare animum Summi Pontificis, per Paternitatem vestram, cui multum confidit; petique hoc velit præstare obsequium Deo, sibi ac nationi Hibernicæ, pro constantia in orthodoxa fide tam crudeliter ac barbære afflictæ, ut dicat nomine suæ Majestatis Summo Pontifici, se nihil negaturum in favorem religionis Catholicæ non solum in Hibernia, verum etiam in Anglia et Scotia (quando Deus ipsum restituerit) quod a viris prudentibus peti possit, daturumque exercitum publicum Romanæ fidei in tribus suis regnis, legesque omnes contra Catholicos editas sublaturum, si Sanctitas sua per se et per alios velit tantum subministrare pecuniæ quantum sufficiet ad milites Hibernos in Angliam, Scotiam vel Hiberniam cum ipso Rege transportandos. Hoc Majestas sua promittit, cupitque ut commissio Pontificia ac potestas mittatur huc Coloniam ad Nuncium Apostolicum cum quo tractabit; si quæ obtulerit non placebunt Sanctitati suæ, nihil petit, aut expectat; promissis ac subscriptis stabit, cum sit e re sua fovere religionem illam, cujus professores expertus est subditorum fidissimos, atque monarchico regimini ex principiis suæ fidei addictos. Cum vero ego objecissem Majestati suæ Declarationem in Scotia factam contra Catholicos, maxime Hibernos, respondit illam non minus fuisse contra se ac Protestantem quam contra Catholicos; fuisse vim manifestam, jam enim statuerant Scoti Presbyteriani personam suam Parlamento Anglicano tradere, si illam Declarationem ab ipsis factam non approbasset: quamprimum vero atque in ipsa Scotia paulo post rerum potitus fuit, illico publicasse primam illam Declarationem fuisse vi extortam, quod verissimum est. Insuper non dubitat quin Summo Pontifici sit satis notum, fieri non posse ut Hibernis subveniatur alia via quam per Majestatem suam. Cromuellus enim illos penitus extirpare decrevit. Si vero a Sanctitate sua et Principibus Ecclesiasticis (suadente Pontifice) Rex non juvetur ut secum transferre possit exercitum Catholicum Hibernorum, oportebit ut (renitente licet animo) Presbyterianos amplectatur, juratos fidei hostes. Eo enim devenit res, ut diu non possit regnare Cromuellus; vel ipsi olim Regi infestissimi ipsum jam importune invitant, adeo sunt tributis oppressi tamque impatienter ferunt novi hominis insolentem tyrannidem: Majestas tamen sua non libenter ire vellet sine exercitu Catholico, cui posset fidere et Presbyterianos in ordine continere, ne religioni ullum damnum possint inferre. Si vero Summum Pontificem non tangat Hibernorum, ac religionis conditio, necessitate compulsus Presbyterianorum fidem tentabit, actumque erit de fide in regnis Britannicis. Miratur quoque serenissimus Rex tantam fidem adhiberi Romæ cuidam Abbati Cisterciensi Hiberno, nomine Crilly<sup>2</sup>, homini scandaloso (sunt verba Regis) totiusque Angliæ ac aulæ fabulæ: dies consumit in tabernis, noctes vero alibi: nonnulli sunt in comitatu Regis, quibuscum (ut ipsi palam jurant)

<sup>1</sup> Not in the Ms. Its purport was probably analogous to that of the address to Innocent X., which is numbered 6 in this Appendix.

<sup>2</sup> Crilly or Crelly is stated to have acted in 1649-50, at London as negotiator between the Marquis of Antrim, General Owen O'Neill and the Parliament of England. See "Contemporary History of Affairs in Ireland, 1641-58," Dublin: 1879-81, vol. iii., p. 413.

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divertebat ad quasdam domos Parisiis et Londini. Quidquid sit de veritate hujus rei, certe nemo Londini dubitat de illa, tam publica et constans est fama; et tamen iste bonus Abbas per se et suos amicos (quod maxime dolendum) jactat se degere Londini non sine notitia Summi Pontificis, habereque a Secretario vel Congregatione de Propaganda Fide summam potestatem in omnes trium regnorum missionaria. Nunquam extitit majus scandalum religionis in Anglia, confirmantur hæretici in opinione falsa quam habent de Curia Romana ex moribus istius hominis, atque auctoritate quam prætendit.

"Hæc sunt quæ jussus sum a Rege scribere ad Paternitatem vestram nomine ipsius: per se noluit id præstare propter aliquas rationes; præcipua est, quia non est certus an Sua Sanctitas velit negotium hoc promovere, quod Deus avertat. De cætero sua Majestas habet gratis Paternitati vestræ pro singulari affectu a suis subditis ubique erga ipsam declarato iis quibus potuerunt officii; quorum promittit se nunquam fore immemorem, addetque novum gratissimum Paternitati vestræ: tali modo proponat istam rem Pontifici, ut de illa serio cogitet, et remittat ad suum nuntium Coloniam, sic enim magis expedire videtur, Regi et secreto et effectui negotiationis.

"Ego vero de Rege possum dicere non sine fundamento, ipsum esse optime affectum non solum erga Catholicos, verum etiam religionem Catholicam; nec dubitant viri satis prudentes et orthodoxi, quin et futurus et ornamento et utilitati Ecclesiæ Dei. Certè utilitatem brevè experiemur omnes, si in Angliam, auxiliis Summi Pontificis ac dei, poterit trajicere cum exercitu Catholico Hibernorum, divertet enim Cromuellum, Hollandos aliosque confederatos hæreticos adeo ut non poterunt executioni mandare quæ machinantur contra Principes Catholicos Germaniæ, Suecorumque conatus erunt irriti, dissolvaturque liga illa hæretica, toti Ecclesiæ tam formidabilis: nec ullum possunt Catholicis invenire aptius instrumentum ad hæc omnia præstanda quam Rex Britannici, qui periculo suo ac subditorum nihil non tentabit pro patris firma stabilienda ac conservanda; hæc enim e re sua est, sicut omnia turbare ac confundere est e re Cromuelli.

"Deus servet vestram Paternitatem diu incolumem; nullus e consilio Regis, aut mortalium præter Regem, scit me scripsisse de ista materia ad Paternitatem vestram, neque ulli dicam; itaque non est cur vereatur aliquid præjudicii aut mali Societati futurum. Sanctissimis Sacramentis Paternitatis vestræ me commendo.

Paternitatis vestræ indignus servus in Christo,

PETRUS TALBOTUS.

Coloniæ, 17 Novembris, 1654."

Endorsed: "Hibernia, 17 Nov. 1654.—Colonia. Pater Petrus Talbotus.—Jussu Regis rogat Paternitatem suam ut res Hibernorum et ipsius etiam Regis commendat Pontifici, et miratur Rex quod Romæ tantum credatur Abbati cuidam Hiberno; et mittit libellum supplicem Hibernici.—12 Dec."



## XIII.

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IRELAND.LETTERS FROM ANTHONY GREGGHEGAN,<sup>1</sup> BISHOP OF MEATH,  
A.D. 1659, 1660.

## 1.

"REVERENDISSIME PATER,

ONUSTUS maneo obligationibus vestræ Paternitatis et Societatis Jesu ; ubique inveni vestros protectores, et benefactores ; humiliter rogo ut meæ literæ Sanctitatis Suxæ manibus tradantur vestra mediatione. Ab initio mundi non fuit talis confusio hic in Anglia. Sunt in continua confusione per tria hæc regna. Richardus Crumuel est privatus omni dignitate Protectoriatu ac omni jure hereditario quod ipsi a patre simul et Parlamento collatum fuerat ; hic credunt quod Henricus Crumuel,<sup>2</sup> Hiberniæ Prorex, non submittet se Parlamento ob sui fratris depositionem, et sic erit regnum adversus regnum. Qui modo gubernant, Flitwith,<sup>3</sup> Lampert,<sup>4</sup> Fairfax<sup>5</sup> et alii volunt gubernare per modum Status ; sed unum scio quod paucissimi in toto hoc regno sint contenti quandoquidem nullus habeat securitatem vitæ vel bonorum, quia omnia reguntur violentia gladii, non jure legum aut civium. Huc appuli ante octiduum, proponens firmiter ire in Hiberniam ad meam gregem, secundum omnem meam possibilitatem, quamvis transitus non fuerit tam difficilis a plurimis annis. Hæc sunt quæ de facto occurrunt. Rogans ut vestra Reverendissima Paternitas habeat memoriam mei in suis sacrificiis, promittens me semper fore amicum fidelissimum totius Societatis Jesu et vestræ Reverendissimæ Paternitatis. Interim vivo indivisus ad mandatum<sup>6</sup> . . . .

Vestræ Reverendissimæ Paternitatis amicus et servus,

FR. ANTONIUS,

Londinii, 20 Maii, 1659.

Episcopus Midensis Hibernus."

Addressed : " Reverendissimo Patri Goswino Nickel, Societatis Jesu, Præposito Generali, Romam."

Endorsed : " Hibernia, 20 May, 1659.—Episcopus Midensis."

## 2.

"REVERENDISSIME PATER ET HONORATISSIME PATRONE,

SINE memoria vestræ Paternitatis Reverendissimæ non celebroy, neque hoc mirum est quandoquidem obligationibus vestræ Societatis et vestræ Reverendissimæ Paternitatis onustus sum. Quoad nova, omnia meliora speramus propter adventum Regis nostri, qui est consolator nostræ nationis, uti omnes existimant, et de futuro erit fautor et restitutor bonorum. Vivo in cavernis quasi adhuc, sicuti et cæteri meæ vocationis et status. Hic, si quid ero, ero fidelis amicus et benefactor in quibus possem vestris Patribus et ad hoc teneor multis titulis et modis. Peto ut dignetur vestra Reverendissima Paternitas me commendare Summo Pontifici. Hic in quantum possum facio omnia quæ sunt meæ

<sup>1</sup> See Appendix V. Notices of this Bishop will be found in Contemporary History of Affairs in Ireland, 1641-52." Dublin : 1879.

<sup>2</sup> Henry Cromwell, Lord Lieutenant of Ireland.

<sup>3</sup> Charles Fleetwood.

<sup>4</sup> John Lambert.

<sup>5</sup> Thomas, Lord Fairfax.

<sup>6</sup> Ms. torn.

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obligationis, sicut plurimi sciunt. Omnia fiant ad gloriam Dei, ut orabit

Vester fidelissimus servus,

FR. ANT[ONIUS],

Episcopus Midenis in Hibernia

Ex loco nostri refugii in Hibernia, 26 Aug., 1660."

Endorsed: "Hib[ernia], 26 Aug. 1660.—Episcopus Midenis."

#### XIV.

LETTERS OF OLIVER PLUNKET, ROMAN CATHOLIC ARCHBISHOP OF  
ARMAGH, A.D. 1672, 1673.

##### 1.

"REVERENDISSIMO SIGNORE, MIO PADRONE OSSERVANDISSIMO,

IL Signore Creveo, Agente de Prelati di questo regno in corte, mi scrive, quanto è obligato a vuestra Paternità Reverendissima per la sua gentilezza, benignità e patrocinio preso di lui, il che è gran sollievo al detto Signore Creveo, sapendo tutti quanto gran padrone benefattore ella è, come io so e seppi per lunga esperienza a Roma. Come ancora tutti i miei paesani, li quali ricorrevano a vuestra Paternità Reverendissima, del che ne fanno tutti in questo regno ampia e larga testimonianza e fede; e già che non possono in altra maniera corrispondere o mostrare la gratitudine che in amore, e fare bene a suoi della Compagnia di questo regno, l'assicuro che in ciò non sono neggenti, pigri o freddi; e li Padri per il gran bene che fanno, meritano d'esser amati, lodati e carezzati. Io ne hò tre Padri nella diocesi Armacana, li quali, per virtù, dottrina, e fatiche, sono bastanti d'arrichire un regno. Il fundatore della residenza Armacana è il Padre Stefano Rice,<sup>1</sup> huomo dotto, efficace nel predicare, prudente nel operare, e di profonda virtù religiosa; nè si stanca mai nel insegnare, instruire et assistere alla gioventù et i preti giovani de quali è esaminatore e direttore. O quanto patì questi due anni e 4 mesi passati nel fondare la detta residenza! Sudavit et alsit; Ed è tanto modesto, tanto riservato, che pare che hieri fosse uscito dal noviziato di St. Andrea. Ebbe l'educatione in Fiandra, e prese veramente il spirito della Compagnia, e lo conserva; è figlio degno di tanto padre quanto è St. Ignatio. Questo Padre Rice in somma è un altro Padre Yonge.<sup>2</sup>

"Il secondo è il Padre Ignatio Broune,<sup>3</sup> predicatore insigne nella lingua Inglese, è huomo dotto, e di costumi esemplari. Fu allievo nelle Spagne, e predica ogni festa, con gran applauso nella capella parrocchiale.

"Il terzo [è] il Padre Murphi; buon teologo, buon religioso; predica pure bene nella lingua Ibernese, ed è giovane di gran ingegno.

"Vi è un fratello chiamato Nicolo, e pare che sia fratello carnale di fratello Georgio di santa memoria. Nella scuole sono da 150 giovani per la maggior parte figli di cavaglieri e gentilhuomini Cattolici; e

<sup>1</sup> Stephen Rice, Jesuit, born at Dingle, Kerry, in 1625, died at Dublin in 1699.

<sup>2</sup> John Yong, or Young, Jesuit, born at Cashel, in 1589, died in 1664 at Rome, where a portrait of him was engraved with the following inscription: "P. Joannes Yongus, Hibernus, Societas Jesu. Ob., Romæ, 13 Julii, 1664." *Ætat.* 75."

<sup>3</sup> Ignatius Browne, Jesuit, born at Waterford in 1630, founded a college at Poitiers, and died at Valladolid in 1679.

sono ancora da 40 figlioli di cavaglieri e gentiluomini Protestanti; ella può immaginare, che cordoglio è ai ludimagistri e ministri Protestanti, veder li figlioli Protestanti venire alle scuole della Compagnia. Nella città della mia diocesi dove è la residenza, sono residenze de Dominicani, de Franciscani, delli Agostiniani, e de Capuccini, e la città si chiama Drogheda o Dreat, nelle nostre lingue, Inglese, et Ibernese, nella Latina, Pontana, tanto distante da Dublinio quanto è Tivoli da Roma, è porto marittimo, situato sul nobile fiume Boine o Boina; e dal gran ponte che vi è la città si chiama Pontana. È abbondante di grani, di carni d'ogni sorte, e di pesci: la campagna attorno è habita[ta] per la maggior da cavalieri e gentiluomini ortodossi, e nella città sono mercanti ricchi ed arteggiani ben stanti. Quando io introdussi alla mia diocesi li Padri, e le Scuole cominciarono a fiorire, Monsignore Talbotto<sup>1</sup> riprendeva l'impresa come temeraria, imprudente e precipitosa e vana gloriosa, e che sarebbe di curta vita, e specialmente in una città si conspiciua. Ma egli non sapeva il tutto. Il Vicerè, my Lord Berkley,<sup>2</sup> era mio amicissimo, e mi stimava più che non meritavo; et in verbo ipsius laxavi rete, e fondai la residenza; è il presente Vicerè, il Conte d'Essex,<sup>3</sup> huomo savio, prudente e moderato. Non è niente inferiore al predecessore nell' amorevolezza verso di me, e perciò le scuole, come vissero questi due anni e 4 mesi, così speriamo che Iddio per l'intercessione di St. Ignatio le dara una più lunga vita. Ut ut sit, quando il vento è favorevole, bisogna alsar le vela e navigare; quando è contrario o tempestoso, le bassaremo e ci ritiraremo a qualche porticello sotto qualche montagno o rupe.

“Saluto caramente li Reverendissimi Padri Noel e Cattaneo, Secretario di vestra Paternita Reverendissima, come ancora li Padri Morelli e Cortege. Vi è nella Propaganda un giovane chiamato Gulielmo Plunkett, nipote del Conte di Fingallia,<sup>4</sup> del Cavagliere Nicolo Plunkett,<sup>5</sup> e del Vescovo Midense.<sup>6</sup> Lo raccomando a vuesta Paternita Reverendissima; è mio parente.

“Padre Reverendissimo e carissimo, la carta finisce e manca, ma Io non finirò ne mancherò mai d'esser di vuestra Paternita Reverendissima,  
Servitore affettissimo et obligatissimo,

OLIVIERO ARMACANO,

Dublinia, li 22 di 9bre, 1672.

Primate D'Ibernia.

“Al Reverendissimo Padre Oliva, Generale della Compagnia di Giesù, mio Padrone Osservandissimo, Roma.”

Endorsed: “R. 28. Jan. 1673.—Hibernia.—Dublinii, 22 Novembris, 1673. Domini Oliveri Plunkett, Archiepiscopi Armacani.—Agens Prælatorum Hiberniæ valde laudare studium erga se Paternitatis vestræ.—Multos esse in regno, qui bene de se merita Paternitatis vestræ meminerint, eoque nomine Societati bene faciant.—Tres è Societate esse in sua Diocesi.—Mire laudat Patrem Stephanum Riccium a virtute ac laboribus, itemque reliquos duos.—Multos filios Nobilium esse in scholis Societatis, atque ex iis 40 heterodoxos.—Esse etiam in urbe Pontana, ubi ipse residet plurimum aliorum Ordinum Religiosos.—Snum

<sup>1</sup> Peter Talbot, Archbishop of Dublin.

<sup>2</sup> John, Lord Berkley, Viceroy of Ireland, 1670–71.

<sup>3</sup> Arthur Capel, Earl of Essex, Viceroy of Ireland, 1672–75, 1676–7.

<sup>4</sup> Earl of Fingall.

<sup>5</sup> Sir Nicholas Plunkett.

<sup>6</sup> Patrick Plunkett, Roman Catholic Bishop of Meath.

<sup>7</sup> See “Facsimiles of National MSS. of Ireland,” Part IV.—2, Plate LXXVII. London: 1884.

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istud de residentia et scholis consilium visum fuisse tamerarium Domino Talbotto, sed usum se favore duorum Proregum.—Salutat Patrem Assistentem Germaniam, Patrem Secretarium, et fratrem Morellum, itemque Collegium.—Commendat Paternitati vestra nepotem suum, qui est Collegio de Propaganda.”

## 2.

“REVERENDISSIMO PADRE MIO, PADRONE OSSERVANDISSIMO,

Da che io sono venuto a questo regno, mi sono, impegnato meglio che ho potuto d'esercitare la gratitudine verso la Compagnia, quale mi diede l'educatione, e non tralasciò mai maniera veruna: procurare il mio avanzamento alle cathedre di dottrina, et alle dimittate; et io per venire su li miei disegni di servirmi della Compagnia per beneficio spirituale della mia diocese, feci scelta del Reverendo P. Stefano Rice,<sup>1</sup> persona (conforme io giudicai e poi sperimentai) di profonda religiosità, di gran prudenza, indefesso nel patire, et assai nel lavorare nella vigna del Signore, nei pergami e scuole della diocese Armacana, di tanta poi modestia, che quando sta meco spesse volte nelle case de signori piu grandi, non vi è novitio di St. Andrea custodisca l'esteriore diportamento delli occhi, etc., piu che non fa egli. In somma mi parve sempre, da due anni mezzo che lo conosco e pratico, un vero figlio di S. Ignatio, e fratello carnale del P. Yonge della stessa memoria. Hora, sono certo che non sbagliai nel giudicare, vedendo che vuestra Paternita Reverendissima l'elesse per Superiore di questa missione; e per dire il vero la missione ne haveva bisogno d'un tale Superiore, il quale per la prudenza e scienza la sa governare, e per l'esemplarità de religiosi costumi la puo dirigere; et è il commune sentimento dei Prelati e nobili ortodossi di questo regno che la Compagnia s'avvanzerà in Hibernia mediante il gran maneggio di questo Padre. Ma io che amo la Compagnia, e minutamente considero lo stato della stessa in questo regno, e pondero seriamente ciò che la puo conservare e giovare, e ciò che la puo distruggere, vedo che sta in una calamitosa condizione in questo paese; vedo che non sarà (con mio gran cordoglio) di lunga vita o di lunga durata in Hibernia, se non haverà modo e maniera di allargare e ricever novitii, e di castigare li professi discoli e disubbedienti. Li Frati di St. Dominico e di St. Francisco hanno a Lovagno<sup>2</sup> et altrove a questo effetto residenze e conventi; l'hanno ancora li Capuccini a Charleville<sup>3</sup> in Francia. Se li Padri Inglesi della Compagnia non havessero collegi e residenze fuori d'Inghilterra, un pezzo factum fuisset de illis.

“E se vostra Paternita Reverendissima, per il gran zelo che ha per la conservatione e propagatione della fede in paesi hetterodossi, e per l'affetto grande che sempre hebbe et ha a questa infelice natione, e per la dila la mano alla conservatione della Compagnia in essa, non farà questa riuscita che io desidero e si spera. Ma del modo che si potrà prendere nel giovarla io discorrerò con il P. Rice e con li altri Padri gravi di questo regno, e ne darò parte del mio e loro sentimento a vostra Paternita

<sup>1</sup> See p. 360.

<sup>2</sup> Louvain. See Fourth Report of Royal Commission on Historical MSS. London: 1874, p. 599.

<sup>3</sup> See Ninth Report of Royal Commission on Historical MSS. London: 1884 Part ii., pp. 344-5.

Reverendissima; e preghero sempre per la salute e lunga vita di vostra Paternita Reverendissima. Armachia li 30 di Genajo, [16]73.

Servitore affettissimo e obligatissimo

OLIVIERO ARMACANO,

Primate di tutta l'Hibernia.

"Al Reverendissimo Padre, mio Padrone osservandissimo, il Padre Oliva, Generale della Compagnia di Giesù, Roma."

Endorsed: "Hibernia, 30 Jan. 1673."

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## XV.

LETTER FROM PETER TALBOT, ARCHBISHOP OF DUBLIN, A.D. 1673.

"REVERENDISSIME IN CHRISTO PATER,

CUM Episcopi et Religiosi edicto Regis ejiciantur ex Hibernia et Patres Ibernici Societatis Jesu nullum in hisce partibus habeant domicilium, obtuli meum obsequium Patri Riccio, Missionis Superiori, si ulla in re mea indiguisset opera gens et de me et de Ecclesia Catholica optime merita. Pater Superior misit Parisios Patrem Ignatium Brunum,<sup>1</sup> qui huc appulit; verentur Patres Galli ne sit illis oneri, sed immerito; nam in Provincia hæreere non cupit diutius quam inceptum negotium cum Regis Confessarii auxilio absolvat. Id negotium a Patre Riccio fuerat commissum Patri Bruno, quod mihi constat ex literis ejusdem Patris Superioris. Res est religioni Catholicæ ac salutis animarum tam proficua, ut non dubitem quin vestra Paternitas Reverendissima actura sit gratias Patri Ferrier, Confessario, pro patrocínio præstito, ac Patri Bruno pro labore suscepto. Nam ut verum fatear, soli vestri ad missionem Hiberniæ videntur idonei. Alii regulares (quod expertus sum) plus nocent quam juvant. Rogo igitur enixe Paternitatem Vestram Reverendissimam ut auctoritate sua foveat florentem quondam missionem, nunc plane in extremis positam; commendetque Societati in hisce Provinciis, ut exules pro fide socios ea qua par est charitate recipiant, protegant, conspirentque ad Seminarii, quod meditamur erigere, fundationem. Commendo me sanctissimis Paternitatis vestræ Reverendissimæ sacrificiis, precorque Deum ut eam vestræ Societati ac mihi servet ad plures annos incolumem.

"Reverendissimæ Paternitatis vestræ

humillimus in Christo servus,

PETRUS DUBLIN[ENSIS],

"Parisii, 29 Decembris, 1673.

Hiberniæ Primas.

"Rex Angliæ ac Dux Eboracensis commendarunt me Regi Christianissimo, et quidem literis manu propria scriptis, enixeque ab ipso petunt ut mihi beneficio (caractere meo digno) provideat. Tradidi literas, meumque negotium Patri Ferrier, Regis Confessario, commisi. Dignetur Paternitas vestra Reverendissima ad ipsum scribere ut particulari studio in hanc rem incumbat, nam ex illius successu pendet spes Seminarii pro fide conservanda in Hibernia.<sup>2</sup>"

## XVI.

LETTER FROM JAMES II., A.D. 1698.

"MON REVEREND PÈRE,

NOUS avons reçu la lettre que vous nous avez écrite au sujet du changement que vous croiez estre obligé de faire dans le Collège

<sup>1</sup> See Appendix XIV.—1.

<sup>2</sup> See "Facsimiles of National MSS. of Ireland," Part IV.—2. Plate LXXVIII. London: 1884.

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Irlandois : La confiance que nous avons en vous nous fait esperer que vous ne le ferez point sans une necessité indispensable, et que vous aurez toute l'attention possible pour tascher de choisir quelque religieux de cette nation qui soit propre à gouverner cette maison. Cependant s'il vous étoit absolument impossible d'en trouver aucun qui p[eu]t y convenir, nous laissons à votre prudence et à votre discretion de faire ce que vous jugerez le plus à propos pour le bien et l'avantage de ce Collège, ne doutant point que lorsque dans la suite vous serez informé de quelque sujet national qui ait les qualitez requises pour le gouverner, vous vous souviendrez de la promesse que vous nous avez faite. Nous vous remercions des assurances que vous nous donnez si obligeamment de la continuation de vostre amitié, de vostre zèle pour tout ce qui nous regarde, de vos bonnes prières et de celles de la Société, pour laquelle, et pour vostre personne particuliere, nous avons toujours beaucoup d'estime et de consideration. Sur ce nous prions Dieu qu'il vous ait, mon Reverend Père, en Sa sainte garde. Donné à S. Germain en Laie, le 15 Septembre, 1698.

Votre bon amy  
JACQUES R.<sup>1</sup>

Addressed :—" Au Reverend Père General de la Compagnie de Jesus."

Endorsed : " Rex Angliæ Jacobus de Collegio Hibernico in Urbe, de 15 Sept. 1698.—Epistola Jacobi, Regis Angliæ, circa electionem Rectoris in Collegio Hibernorum, Romæ, an debeat esse nationalis, 1698, 15 Septembris."

## PAPERS.

### 1.

EXTRACTS FROM TREATISE ADDRESSED TO KING JAMES I. BY PIERRE LOMBARD, ROMAN CATHOLIC ARCHBISHOP OF ARMAGH [A.D. 1604].

"AD JACOBUM REGEM POTENTISSIMUM BRITANNIARUM PRIMUM MONARCHAM.

### "PRÆFATIO.

"1. Britannicas Insulas, quæ tam magnæ, multæ, pulchræ, ut eas non incite quispiam descripserit sic in terris esse sitas sicut in orandis coelis discernuntur luminaria duo magna et complures stellæ, placuit coelorum Domino adunire tandem sub terreno tuo imperio, potentissime Rex Jacobe, Britanniarum prime Monarcha. Id erat tibi jure debitum, meritò est secutum, utrinque ex sanguine transfuso in te à tot claris progenitoribus, a tam chara matre<sup>2</sup> (quod ex amore meo in te et illam præfari mihi liceat) pro te insuper effuso.

"2. Nam si progenitores tui recolantur,—sive prius illi proceres, qui egressi ex Hibernia, ipsa est Vetus Scotia, et occupat præter Hebrides Insulas, permagnam Albionis partem, in hac fundavere alterius Scotie Regnum, quod te in lucem edidit, et Regem primitus coronavit,—sive potentes alii Principes, quicunque Britannici, Saxonici, Normannici sanguinis, in reliqua maiori Britannia regnavere hactenus, quique ex iisdem protenso ultra mare Britannicum suo dominio, etiam in Gallis

<sup>1</sup> See "Facsimiles of National MSS. of Ireland," Part IV.—2. Plate XCII. London : 1884.

<sup>2</sup> Mary, Queen of Scots.

aliquando triumpharunt,—eorum in te omnium, pro derivata a singulis successoribus tuæ series, jura coeunt hæreditaria.

“3. Quod autem ad assequenda Regna duo, quæ pro jure isto posterius tibi accesserunt, Deus viam ita præparavit, ut hæc sub auspiciis transitori ad te eorum principatus, conquiescerent a bello, quo per multos eousque annos, tam cruento decertatum fuerat, ut et Hibernia, decertationis illius area, plerisque vastata partibus, et Anglia, viris suis et viribus non parum imminuta manserit; quod, incidente ejusdem principatus interregno, Angli sine cunctatione magna, te ad conscendendum ejus solum accerserint, atque introduxerint; quod te progredientem eò, Scoti comitati sint, non cum hostilitate, aut tumultu, sed pacatè ac tranquillè, tanquam in amicam sibi subintrantes terram; quod Hiberni exsultantes de te optatissimo sibi Rege dato, hoc in sua primum patria regione festos agendos dies, celeberrimè publicarint; indeque trajecto mari ad suam tibi fidelitatem et obedientiam coram profitendam atque comprobendam, celerimè accurrerint; quod externi Reges, Principes, Reipublicæ, etiam a quibus non visa diu antea legatio in Britanniiis, inaugurationis tuæ acciti fama, confestim ad te missis oratoribus, tibi, sibi, in te tuis, suisque dominiis solemnî pompa congratulati fuerint; quod ex ipsis imò Regibus, Principibus, et præcipuis orbis potestatibus, aliqui terra, marique longis emensis itineribus profecti sint ad te præsentia sua honorandum, de quo et gavisî plurimum, videntes quàm à te excepti essent magnificentia munificentissimo Rege digna. Quod hæc, inquam, omnia auspicia tam felicia haberet aditus tam ad ista hæreditaria tibi regna, id in præcedentia dudum Regina, matris<sup>1</sup> tuæ, merita referendum illi judicant merito, justum esse de Divino sentire judicio, qui quod percontatur ac deprædicat Sapiens: Mulierem fortem quis inveniet? procul et de ultimis finibus pretium ejus; altius secum recogitantes, hoc in ipsa deprehendunt comprobata usque ad ejusmodi consummationem, ob quam maxime scriptum est: Pretiosa in conspectu Domini mors sanctorum ejus, quandoquidem usque ad effusionem pretiosi sui sanguinis, fortissimo toleratam animo.

“4. Quam effusionem subsecuta inde divina judicia in suis se effectis ita manifestarunt, ut esto, quod securis illa, quæ prospectantibus de cælo Angelis, obstupescitibus in terra hominibus, exserta fuit in sacrum Regina<sup>2</sup> hujus collum, tanquam et ipsa de sceleratis una esset feminis, videretur aliquibus, et tuo pariter capiti coronam abstulisse, jus tibi præscindendo ad futura tua Regna: Sed enim Deus, judex justus, fortis et patiens, ab alto respiciens humiliatam usque adeo heroinam, cujus præter id quod intrinsecus latebat virtutum decus, ipsam mox in cælos subvecturam, etiam natalium, et insignium ejus celsitudo, nulli magnorum qui sunt in terra fastigio nobilitatis cedit, ad tantam humiliationem, pro æternorum judiciorum æquitate, remunerandam, in hoc quoque mundo, et quidem in te ipso, qui mulieri adeo forti, ab eodem Deo datus es, et conservatus, hæres bonorum, filius dolorum, merces laborum, fructus ventris, tibi tot Regnorum consecutionem ab ejus morte reddidit multo faciliorem quam futura forsân esset in ejus vita, certè quam vel sperabant qui optabant semper facilem successuram, vel quam optabant, si qui aliquando fuerant, qui te nolebant regnaturum.

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<sup>1</sup>, <sup>2</sup> Mary, Queen of Scots.

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"11. Quarum subinde consideratio rationum, tum me induxit ad scribendum aliquod opus, quod mundo testificetur, quam in tam justa et pia causa debeam Deo, Christo, et Ecclesiæ fidem, patriæ charitatem. Ex quo id institui scribere, statui pariter, et ad testificandam observantiam meam in tuam Majestatem, id ipsum tibi, Rex potentissime ac sapientissime, dicare ac destinare donum, pro Religione et patria debitum ab Episcopo, illius præsertim sedis,<sup>1</sup> quæ in universis Monarchiæ tuæ ditionibus, antiquissima est metropolis, adeoque ex qua non solum processit fundatio et dotatio prima ecclesiarum omnium in Hibernia, sed etiam prodierunt ad instituendos in Christiana, et Catholica Religione tum Pictos, Scotorum in Britannia antecessores, primi operarii Evangelici, tum Anglos, Britannicos, Saxones, plerique cooperarii; eoque proinde nomine et merito Pictorum, Scotorum, Anglorum piis Regibus, et populis, maioribus et minoribus amati semper atque honorati.

"12. In quo disponendo opere, seu dono adornando, dum moram aliquam mihi facit studium notanter cavendi ne de rebus patriæ et aliquibus rumoribus, per quos ubi alios, ita et me contingeret seu opinando, seu scribendo falli, quicquam falsi evulgarem: Gaudeo interea innotuisse, et per certiora nuncia, quod in Hibernia tolerabilius agatur cum Catholicis in causa conscientiæ, et per scripta publica, quæ sint in religione questionem magis particulares hodie controversæ, de quibus tua, o Rex, laudatissima in salutis causa sollicitudo, videtur tam grante acceptura resolutionem solidam, ut et ingenuè spondeas, quoties religionis illius quam modò proferis, ullum caput ostendetur non antiquum, Catholicum, et Apostolicum, sed novitium esse, ac recens, in rebus spectantibus ad fidem, te statim ab eo discessurum.

"13. Enimverò quod atque studium honoris tui expetendi, obsequii tibi deferendi, est ejusmodi, quo et in patriæ primum causa, etiamsi constaret mihi præsentis mei laboris, quandocunque conspectui tuo sistendus, eum fore fructum, ut quod in illa causa spero, et peto sis liberaliter concessurus, tamen optatius mihi est, et jocundius, si præventus a benignitate tua, accedam ad supplicandum ut quod, operante Deo, cœpisti bonum opus, in nationem tibi devotissimam, Eodem cooperante, perficias ad laudem tuam et gloriam sempiternam. Deinde et in religionis causa ultra id quod ab initio statui in hoc opere comprehendere, porro ad satisfaciendum expectationi salutaris tuæ sollicitudinis, Deo, uti confido et continuè oro, regente mentem meam, et manum dirigente, quæstionum de quibus particularius disserendi postmodum data est occasio, qua possum industria, qua debeo observantia, interseram opportunis locis resolutionem secundum doctrinam fidei, ex qua credo ipse et spero salvari.

"14. Unde licet multa sint et magna, quæ præsentio mihi pertractanda. ita tamen hoc præstare est propositum, ut et de multis breviter dicam, memor quod cum Rege loquor, et de magnis solidè agam, sciens quod cum docto loquor Rege. Quod utrumque præstare propositum mihi sic intelligo, ut dicendo breviter, dicam et sufficienter, et agendo solidè, agam etiam intelligenter ad fidem obtinendam rebus de quibus dicam atque agam.

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<sup>1</sup> The See of Armagh.



"19. Quod deinde pertinet ad patriæ causam, quæ et de ipsa pertractare statui, ad religionem ita refero, ut ad inveniendam in conspectu Majestatis tuæ gratiam, qua statuas ac stabilias ut natio hæc frui possit libero exercitio religionis, in qua primum facti sunt Christiani, a qua nunquam hactenus exciderunt et pro qua conservanda etiam pactione interposita, dudum est translatum dominium Hiberniæ ad prædecessores tuos, Reges Angliæ. Præmissa regionis leuidensi Chorographia, in qua et ejusdem commoda præcipua compendiose recenseo, tanquam quod ad Monarchiæ tuæ magnitudinem declarandam, confert, tracto consequenter, de antiquitate religionis Christianæ in Hibernia, de præcipuis ibi ejusdem religionis fundatoribus, Sancto Patricio et Sancto Palladio, quippe cum iste laboriose sit aggressus, quod ille fructuose consequutus est in Hibernis convertendis ad Christianam Religionem; de succedentium iisdem fundatoribus Hibernorum domi forisque, sanctitate et eruditione,<sup>1</sup> quæ tam celebris erat, ut Hibernia Insula Sanctorum passim nominaretur; de subsequitis postea abusibus quarundam observationum, et corruptelis morum; de reformatoribus ejusmodi abusu et corruptelarum, Sancto Celso, et Sancto Malachia, Archiepiscopis Ardmachanis; de translatione domini Hiberniæ ad Reges Angliæ;<sup>2</sup> de rebus quæ huc propius spectantes translationem istam subsequutæ sunt usque ad mutationem religionis in Anglia; quam constantes interim Hiberni se passim exhibuerint in retinenda antiqua religione ab initio Christianismi sui suscepta, non obstantibus quibuscunque modis atque mediis ad ipsos inde abducendos postmodum attentatis; quam expediat ad Hibernos continendos in officio, fide et obedientia erga Reges suos, ut ejusdem Religionis inter ipsos vigeant exercitium atque disciplina.

"20. In quibus omnibus explicandis, quod ipse Dominus noster, Jesus Christus, annuit dicens, 'Reddite quæ sunt Cæsaris, Cæsari, et quæ sunt Dei, Deo'; quod Sanctus Petrus monuit, scribens: Subjecti estote omni humanæ creaturæ propter Deum, sive Regi quasi præcellenti, sive Ducibus tanquam ab eo missis ad vindictam malefactorum, laudem vero bonorum; rursus: Deum timete, Regem honorificate; et quod Sanctus Paulus docuit his præceptionibus: Ut omnis anima potestatibus sublimioribus subdita sit; quod non est potestas nisi quæ a Deo ordinata est; quod qui resistit potestati, Dei ordinationi resistit; quod Principes non sunt timori boni operis sed mali; quod Princeps est minister Dei in laudem et bonum ei qui bonum facit: vindex in iram ei qui malum agit; quod necesse est subditos esse Principi non solum propter iram, sed etiam propter conscientiam. Quas et concludens præceptiones adhortatur: Reddite ergo omnibus debita, cui tributum, tributum, cui vectigal, vectigal, cui timorem, timorem, cui honorem, honorem. Hæc sanè omnia sic ego commendata habeo, quod in præsentī opere scopum mihi hunc præfigam, ut ista pro qua ago natio et regio mea patria, tuo, Rex maxime, benigno favore alleviata, refocillata, recreata, exhilarata, serviat et liberius Deo in sanctitate et justitia, et libentius tibi, tuisque successoribus pro debita vobis obedientia. In qua professione finem præfandi faciendo rogo te, Rex optime, ut et eam benigne suscipias, tanquam testem fidum amoris mei in personam tuam, observantiæ meæ in Majestatem tuam, desiderii mei de posteritate tua in perpetuum stabilienda in ista Monarchia,

<sup>1, 2</sup> Among the chapter-headings in Lombard's "Commentarius de regno Hiberniæ," as printed in 1632, are the following which nearly correspond with two of those above given: "De succedentium Hibernorum per aliquot sæcula cum domi tum foris sanctitate et eruditione," p. 171.—"De translatione domini Hiberniæ in reges Angliæ, quibusque facta conditionibus," p. 241.

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quam Deus Optimus Maximus primum omnium in te ipso adunivit. Qui quod Rex sapiens proloquitur: Justitia firmatur solum; sic nostri verum esse, ut sine vera religione, non possit esse sive in Rege, sive in populo, justitia, quæ salutem stabilem operatur."

## 2.

EXTRACTS FROM REGULATIONS OF COLLEGE OF IRISH JESUITS AT  
SALAMANCA [A.D. 1604].

"i. COLLEGII HIBERNORUM SAIMANTINI CONSTITUTIONES.

"Omnis reipub: status, et aliæ hominum societates, et Collegia, tum demum recte gubernantur cum pacis et concordie vinculis inter se continentur, quod cum sine lege fieri non posse certum sit, ut nostrum hoc Hibernorum Collegium recte dirigi, et administrari possit, leges aliquas præscribendas duximus, quibus alumni instructi, velut unius moris in domo, mutua charitate conjuncti unam eandemque disciplinam addiscant, et ad optatum finem perveniant.

"De admittendis. Caput 1<sup>um</sup>.

"1. Quicumque ergo in hoc Collegium admittendi erunt, Hiberni sint, parentibus nullius infamis notæ, et legitimo matrimonio geniti.

2. Sint integro et sano corpore, ac bonas indoles præ se ferant, sint quoque necesse est firmæ valetudinis, ut studiorum labores tolerare possint, illisque dotibus præditi sint ut sperentur suo tempore ad munus illud cui destinantur, recte obeundum idonei futuri.

3. Sint ætatis non teneræ sed maturæ, et in humanioribus literis ita versati, ut ad Logicam saltem addiscendam inveniantur idonei.

4. Habeant testimonium aliquod honestæ anteaactæ vitæ, et bonæ famæ.

5. Intelligant omnes Collegii hujus finem esse, ut alantur in eo, et instruantur ii tantum, qui spiritualibus Hiberniæ necessitatibus, pro talento a Deo accepto, poterunt opitulari."

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"10. Qui in numerum alumnorum admittuntur in Collegium, post aliquot menses ab ingressu, quando Superiori videbitur, habito de ejus vita et moribus experimento, jurejurando polliceantur se paratos esse vitam ecclesiasticam agere, et quandocumque eis injunctum fuerit, in Hiberniam ad juvandas animas proficisci, et suo quisque chyrographo fidem astringet ad promissa servanda."

"CIRCA STUDIA. Caput 2<sup>um</sup>.

"1. Quod ad studiorum rationem, et literarias exercitationes pertinet, nemo suum sensum aut voluntatem sequatur, sed potius Superioris judicio et gubernationi sese subijciat.

2. Tempus studiorum illis a Superioribus diffiniendum erit, pro cuiusque ingenio, et aptitudine, ferè, tamen, nisi quid impediât, concedentur ad Philosophiam tres anni, et quatuor ad Theologiam. Qui vero ob adversam valetudinem vel proveciorem ætatem, aliisque de causis, ad ista scholastica studia superiorum judicio non videbuntur idonei, hi concedentur tres anni ad Logicæ institutiones et ad Casus Conscientiæ, et Controversias addiscendas.

3. Nemo libros habeat qui non a Superiore probentur prius, et non censeantur utiles literis vel pietati comparandi.

4. Omnes dent operam ut literariis exercitationibus intersint, et fructum illum consequantur, quo et sibiipsis et aliis prodesse possint.

5. Nemo a scholis, repetitionibus, et disputationibus etiam domesticis, aberit sine necessitate, et Superioris licentia.

6. Certis diei horis, ut Superiore videbitur, studiis privatis vacabunt, et horarum omnium distributionem pro Collegii consuetudine diligenter observabunt.

7. Theses, aut publicas, aut privatas, non nisi Superiorum iudicio et consilio defendendas proponent.

Formula jurisjurandi Alumnorum Hibernorum hujus D. Patritii Salmantini Collegii quod cum in Collegiarum numerum ascribuntur concipere debent :

“Ego, N., Collegii Hibernorum Salmantini Alumnus, considerans Omnipotentis Dei singularia in me beneficia, et illud in primis quod à patria ab hæreticis infestata me dignatus sit educere Catholicæ suæ Ecclesiæ numero associando, cupiensque tantæ misericordiæ pro modulo meo satisfacere, statuo proponoque me totum ejus obsequio mancipare, hujus Collegii finem quam maxime potero exequendo ejusdem Collegii instituta, ritus, et regulas observando; sed et bonum ejus prout in me fuerit promovendo; juroque Omnipotenti Deo coram sacratissima Deipara Virgine Maria, nostro tutelari patrono Patritio, et Curia cœlesti universa, me animo dehinc paratum fore ad sacros Sacerdotii ordines suscipiendos, et in Hiberniam postea (divino favente spiritu) ad proximorum animas lucrandas reversurum quandò Superiore hujus Collegii pro nostri instituti ratione utrumque mihi visum fuerit precipere in Domino.

Salmanticæ : Anno Salutis nostræ——, mense——, die vero——. N.”

## “ii. CONSTITUTIONES SEMINARIJ HIBERNORUM SALMANTICÆ.

### “PROŒMIUM.

“Cum nullum sit hominum genus, eorum qui in communi aliorum societate degunt, communemque ducunt vitam, quod suis legibus et constitutionibus instructum non sit, progrediaturque ad eum, quem sibi præscripserit, finem, visum est, et huic Hibernorum seminario, quod est Salmanticæ, statuta quædam præfigere, et tamquam leges condere, quibus unius moris effecti illius alumni facilius ad præscriptam sibi metam, et constitutum finem Divinæ sanctæ gloriæ, et salutis propriæ ac proximorum perveniant. Intelligent tamen his ad nullum, neque mortale neque veniale peccatum obligari, idque non ut facilius violentur nullo timore inflicto, magis autem ut observentur proposito suaviter bono.

### “CAPUT PRIMUM.—QUÆ REQUIRANTUR IN IIS QUI IN SEMINARIUM SINT ADMITTENDI :

“1. Nemo in Seminarium admitti potest qui non sit Hibernus ex utroque parente, et ex legitimo matrimonio natus.

2. Quicumque admittendus est, sit ætate nec 18 annis minor, nec 25 major. In hoc tamen justis de causis poterit dispensari.

3. Sit integro ac sano corpore, bonæ indolis, et virtutis studio deditus, sitque bonæ valetudinis ad studiorum labores facile ferendos. Linguae expeditioris: denique is fore ut Christianis moribus disciplina atque Catholica doctrina convenienter instructus, multos Christo lucrifacere in Hibernia possit.

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4. Nemo item admittatur, qui religiosus aliquando fuerit. Habeatamen unusquisque alicujus præcipui, et insignis viri etsi fieri potest ecclesiasticæ personæ testimonium ac fidem bene actæ vitæ, bonæ factique quodque parentes ejus non sunt infames, nec hæretici, aut infimæ conditionis, quique non se in sordibus ac vilibus ministeriis exercuerint, et quos non ita premat inopia ut sine ejus ope vivere nequeant.

5. Non sit præterea ære alieno gravatus, nec sponsaliorum aut matrimonii vinculo strictus, nec etiam aliqua censura vel irregularitate ligatus. Habeat firmum propositum institutum hujus Seminarii amplectendi, et servandi in eo communes regulas, in super et per-severandi in clericatu.

6. Velit etiam post examen de more jurejurando se ad ea omnia obligare, ad quæ se et ceteri Seminarii alumni eodem jurejurando obligarint. Præterea boni consulat, si antequam in numerum alumnorum admittatur per quatuor, aut plures menses, judicio de Superiori de ipsius vita, moribus, et aptitudine periculum fiat, et si minus idoneus ad Seminarii institutum repertus fuerit, quiete dimittatur."

"CAP. 2.—DE RATIONE TENENDA IN ADMITTENDIS IN NUMERUM ALUMNORUM.

"1. Post duos aut tres dies hospitii per aliquos ad hoc deputatos de ejus ingenio, probitate, ac litteris experimentum. Quo facto Rector, et consultores decernent an sit admittendus, et quibus sociis applicandus.

2. Postea à ceterorum commercio sejunctus per octo vel decem dies spiritualia exercitia faciat et generalem totius vitæ confessionem, constitutiones seminarii perlegat, videatque an iis servandis divina opitulatus gratia accommodare se possit, ac velit, et tandem per quatuor aut plures menses in probatione detineatur, et pecuniam, si quam habet, apud procuratorem deponat.

3. Deinde professionem fidei juxta formam à felicis recordationis Pii IV. traditam emittat. Promittat etiam sub juramento per schedam propria manu scriptam quod quamdiu in Collegio victurus sit nihil turpe aut molietur, directe nec indirecte contra bonum hujus Seminarii, pacem et disciplinam, quodque ex tunc vita ecclesiastica amplectatur, et quandocunque ei per Superiorem Seminarii injunctum fuerit in Hiberniam<sup>1</sup> ad juvandas animas proficiscetur, quæ schedula et juramentum in libro ad hoc parato, et ubi nomen, cognomen, patris, et parentes cujusque alumni describuntur, asservetur.

4. His peractis, sacratissimum Christi corpus sumat, et postea clericali habitu indutum eum Superior amplectatur, quod reliqui alumni omnes facient, et in alumnorum numerum admittatur."

\* \* \* \* \*

"CAP. 5.—DE RATIONE STUDIORUM HUIUS SEMINARI.

"1. Nemo circa studia cupessenda et exercitationes in illis proprium sensum et voluntatem sequatur, sed Superioris judicio penitus se gubernari permittat, illius enim curæ erit ea studia cuique præscribere, quibus potissimum operam dare conveniet; et ideo eos tantum quisque libere habebit, qui fuerint a Superiore approbatos.

<sup>1</sup> Under the heading: "De pietate et virtutum exercitiis" was the following injunction:—"Quotidie omnes privatim orabunt pro Hibernia, et pro conservatione ac profectu hujus Seminarii, et maxime pro alumnis in Hiberniam missis."

2. Assignatas sibi lectiones, et magistros adibunt; nec à scholis, repetitionibus, aut disputationibus, ullus sine Superioris facultate aberit, et omnes saltem ejusdem facultatis, ad scholas simul exhibunt et ad Seminarium revertentur.

3. Ex litterariis exercitationibus fructum illum consequi curare omni diligentia debent, quæ sibi et aliis ad Dei gloriam plurimum prodesse possint.

4. Caveant ne in disputationibus sint iracundi, mordaces, aut pertinaces, sed mansueti, mites, Præfectis et repetitoribus obedientes, paratique sint studiorum rationem reddere, quoties ab eis postulatum fuerit ubique autem Latine loquantur, nisi recreationis tempore, et prout Superiori visum fuerit.

5. In libris, quos acceperint, non scribant, nec ullam ducant lineam, neque mutuo illos alicui, seu domestico seu externo concedant, et quisquis librorum quos habet catalogum habeat, ut cum ab eis repetentur, rationem reddere possint, nec librum aliquem ex communi Bibliotheca accipiant absque expressa Superioris facultate.

6. Nemo dum in Seminario vivit, libros peculiares sibi comparet, nisi ex Superioris licentia; quoscunque autem habuerit discedens, secum non auferat, sed communibus Seminarii usibus relinquat, nisi aliud Superiori [*oblit.*] videretur.

7. Certis diei horis, prout Superiori videbitur, studiis vacabunt, ac horarum omnium distributionem juxta Seminarii consuetudinem diligenter observabunt.

8. Theses publicas aut privatas, Superioris judicio et consilio, dum in Seminario viveret, defendent, juxta academici consuetudinem.

9. Musici et Græcis litteris, theologi vero Hebræicis, quotidie aliquid temporis insumere debebunt, et maxime diebus illis, quibus à studiis vacant, pro Superioris arbitrio."

"CAP. 6.—DE CAUSIS DIMITTENDI ALIQUEM EX SEMINARIO.

"Causæ quibus dimitti ex Seminario poterint, erunt infrascriptæ :

1. Si facinorosum aliquod grave, aut publicum delictum commiserit.
2. Si voluerit suo, et non pro Superioris arbitrio, studiis sese applicare, ac vacare.
3. Si contentiosi, aut inobedientes usquam evaserint, ut correctio desperetur.
4. Si judicio minus sano, vel frenetico laborant, aut infirmitate incurabili.
5. Si nullus profectus in litteris aut in virtutibus appareat, ita ut nulla spes sit venturi ministerii alicujus fructus in vinea Domini.
6. Si, in examine sub ingressu in Seminario facto, mentitos fuisse in re aliqua gravi postea comperiretur."

3.

FABRICATED BULL, A.D. 1605.

"Vera copia.

"By the assurance of the assurances and God's Vicar Generall of the Catholick fayth upon earth unto all our faythfull Catholicks in Ireland, peace from Our Lord Jesus Christ.

"Deare children, greeting unto you from Our Lord Jesu Christ, desyring of him that you may remayne stedfast untill his comminge which wilbe shortlie for his elects sake. Whereas we are in our

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fatherly affection (tendering the salvation of your soules health) and pittying your miserable estate and bondage under the tyrannicall yoke of heretikes. Upon the first of November last, there came before us in our consistory the proclamation made out against the Catholicks by that tyrannicall Apostata, usurper of the supremacie of Apostolick dignitie, which hath indured many hundred yeares obedient unto our Sea of Rome, and now is surprised by schismatiks. But let not any man mervayle of the manyfould downefalles into synne, or think it a thing scrupulous; for the way unto salvation is strict, for this is that strictnes of the gate that leadeth into blisse; this is the combat betweene the world and Christ never agreeing in one: this is that unspotted lawe of God, which notwithstanding converteth soules, and maketh them for to despise the lusts and delightes of the flesh, and also the extreame usadge of the world, only cleave unto Christ; and that which is most happie thynck to remayne with him in his tribulations, in the least iott not swearing from his holy will. Mervayle not, though hereticks dissemble among Catholicks, though they shew no dissention but make all demonstration of fayned piety contrary to their owne consciences: for they receive our sacraments, professe our doctrine, and seeme for to detest all heresie; yet they want true religion and all constant profession of that they seeme for truth. Therefore, deare children, I admonish you of a remedy which may deliver you from their precines: be at utter defiance with schisme and heresye, and let all the world knowe that in the last dangerous poynt you will take the surest part; and therefore no way shrynk from your dutye towards God, then shall you certainly avoyde their divers snares. This of conscience assure yourselves that as you cannot too soone flee from places of suspected pestilence, so cannot you be too evieus of shunning whatsoever hath but the least jott of savour of schisme or heresie. And, least you may for want of right persuasion of your dutye do amisse, compare allwayes the course of their going to their church, and the receaving of their sacraments or communion, as doing sacrifice or being present at sacrifice unto idolls and what you may do or say, you have done, the other, it is what you may dissemble for to do in the one or in the other, it is nothing: for I will shew you hereafter that although they be digrest from among them, yet there is synne committed in them all alike. Saint Augustin expoundeth the wordes of our Saviour concerning the difficulty of remission when a man synneth against the Holy Ghost: very learnedly he discourseth of the synne of schisme, which he affirmeth for to be the synne against the Holy Ghost, for that the schismatick uniting himselfe unto their congregations, or rather, as this Saint sayeth, unto their segregations, and so deviding the spiritt of God, cannot have the same spiritt by which remission of synnes is given; for that martyrdome itself cannot avayle them: notwithstanding these which synne being in the church do only synne against the sonne of man; and not deviding the unity of the spiritt may have remission. All this he confirmed by the authority of Saint Jude, who sayeth that schismatiks not houlding the head, have no spiritt, nor life in them. Therefore, dearly beloved, this shall suffice at this tyme, not doubting of your earnest stedfastness as you have done unto this tyme; assuring you that we will send you ayde and greate strenght that shall assist you against all your persecutours, and that against the next harvest (to witt, Romaines, Germaines, and Spaniardes, with shippes and greate armies) that shalbe able for to resist all your tyrannicall governours, for so we have concluded it. And, furthermore, in that we tender your greate

zeale unto the Catholick fayth, we doe by our authority from God fully and wholly absolve and remitt unto you and every of you all your synnes from your byrth untill the tenth of June next ensuing. And, thearfore, this is our fatherly will that all our Bishoppes, Jesuits, and Preists, and all others our Catholick pastours, shall publish this exhortative and remission of synnes unto ail our faythfull Catholics within our kyngdome of Ireland. Imbulled at Rome, the 7th of December [1605].”

“Suprascripta est vera copia cujusdam bullæ (sic nominatæ) quæ circumfertur a Judicibus et Ministris in Hibernia; occasione cujus intolerabilem patiuntur Catholici in Hibernia persecutionem. Quam autem benè quadret ipsius ordo cum stylo et ordine Apostolico oculatus quisque deprehendat. Interea, causam nostram et Ecclesiæ Sanctæ suæ judicet Altissimus. Verins tantum admonitum cupio, eum cui committetur cura transferendi supradicta in Latinam aut Italicam linguam, in aliquibus locis deesse sensum; nolui enim quicquam immutare aut emendare, sed prout authoribus prodiit, circumferturque ab inimicis Ecclesiæ Christi, describere. Sollicitè inquisivi de ipsis originalibus, et an essent conscriptæ lingua Latina; sed nec datur ratio, neque responsio.<sup>1</sup> Dum scriptito ab adversariis peto, ubi nomen Vicarii Christi, ubi benedictio Apostolica, quæ præmitti solent? Quod novum exordii genus? Ubi phrasis termini, methodus, connectio, et mellifluus ille verborum fluxus ore simul et calamo Apostolico digna? Quo loco descriptæ sint Romæ? Apud S. Petrum, S. Marcum, aut alibi? Ubi annus Domini, aut Pontificatus Sanctissimi? Ubi subscriptio alicujus Secretarii aut Notarii Apostolici? Ubi annulus Piscatoris, aliudve sigilli genus, quo fides detur? Quis nuncius per quem missæ sunt tales literæ,—ordinariæ an extraordinariæ? Et cum noverit Romanus Pontifex aliquos hic esse Prælatos Catholicos ad quos transmitti possent tales literæ, veresimilene sit negotium tanti ponderis sic per aera et in incertum transmitti? Fieri ni etiam potuit ut publicatum hic edictum die 26<sup>a</sup> Octobris in Urbem pervenerit 1<sup>o</sup> Novembris immediate sequenti? Et posito quod eo tunc pervenerit, quis credet diem festum Sanctorum Omnium quo tanta et tam cœlestis servatur ab ipso Pontifice solemnitas, in alium diem transferendum, et Consistorio deputandum? Ita quidem fieri posset si Pontifex vellet, sed ut tam insolita fieret mutatio, non ita premebat negotium quin in sequentem diem differri posset. Et quoniam mendacia, quæ inseruntur, unacum blasphemia et seditione in figmento illo contentis, non Christi Vicarium sed aliquem à catulis Calvinii deceant, ideo omnibus veritatem quantum possumus notam facimus. Interea, quo insipientia istorum nota fiat omnibus hominibus, humiliter Sanctissimi Domini Nostri judicium peto, a cujus ore et nutu totus dependeo.

JACOBUS VITUS,<sup>2</sup> Vicarius Apostolicus.”

#### 4.

#### STATEMENTS ON AFFAIRS IN IRELAND, A.D. 1615, 1617.

“Informatio ex Hibernia ad Archiepiscopum Armacanum Primatem regni transmissa Romam, de statu in quo Eugenius,<sup>3</sup> Archiepiscopus Dubliniensis, ibi versatur cum periculo suo, et ejus occasione etiam aliorum.

“Ex literis in Hibernia scriptis anno Domini 1615, die 10 Maii :

<sup>1</sup> In margin :—“Respondet calumniis et convitiis.”

<sup>2</sup> James White, Vicar-Apostolic of Waterford and Lismore.

<sup>3</sup> Eugene Matthews or MacMahon, Roman Catholic Archbishop of Dublin, 1611—1622-3.

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"Multum hic invigilatur in Eugenium Dubliniensem, et de illo Prorex<sup>1</sup> regni deputatus narravit cuidam Baroni Catholico, ex cujus ore ego accepi, quod est nominatim et personaliter odiosus Regi, eaque de causa tam ipse Prorex quam regni Cancellarius<sup>2</sup> sunt solliciti ad ipsum reperendum, adeo ut existimem quod necesse habebit recedere ex regione. Tenet se valde privatim, et abstinet ab ordinando, confirmando, et aliis functionibus, per quas venire possit in notitiam. Vir bonus habet zelum, et magnum desiderium ad perfungendum onus, et ad dirigendum gregem suum, sed multum in illum collineatur ab eis qui Statui publico præsunt, ex suspicionibus et præsumptionibus ratione familiæ ex qua descendit, et loci in quo natus, et consortio in quo versatus, et tanquam non aliud quam præcursor esset adhibitus, propter alias quasdam molitiones designatas, quod ab ipso tamen nullo modo intentum esse, me securum reddo, tametsi illi qui præsunt, ita sint diffidentes, ut hoc nolint credere.

"Pro qua informatione intelligenda poterit adnotari quod familia ex qua descendit, id est, parentes ejus propinqui militarunt cum Comite Tyroniæ<sup>3</sup> contra Coronam regni, et quod locus in quo natus sit provincia Hultoniæ,<sup>4</sup> in qua sæpe solitum arma contra Coronam sumi, et quod consortium cum quo hic Romæ conversatus fuerit ejusdem Comitiss Tyroniæ, et aliorum qui cum ipso ex Hibernia fugerunt. Cum quibus si pariter innotesceret, quod idem Eugenius promotus fuerit ad dictum Archiepiscopatum per sollicitationem importunam ejusdem Comitiss apud Paulum, Papam V., idque contra quam idem Papa judicabat simpliciter expedire; et contra consensum et consilium Archiepiscopi Armacani,<sup>5</sup> totius Hiberniæ Metropolitanis et Primatis, tunc auferentur suspensiones, præsumptiones, et pericula, tam contra dictum Eugenium Archiepiscopum, quam contra omnes alios cum quibus in Hibernia familiarius ageret.

"Ex literis in Hibernia scriptis anno Domini 1617, die 17 Julii :

"Intentissima hic expectatio, et investigatio ad reperendum Eugenium Dubliniensem facit complures timere ne[oblit.] contingat errare in personis, et qui non queruntur, pro illo fortè apprehendantur, in quæ intentio adeo collineat. Quomodo accidit Dublinii in postremo termino Paschali, ubi Cancellarius<sup>6</sup> ipse regni cum alio quodam è supremo Concilio, Domino Adamo Loftio,<sup>7</sup> et Magister, uti vocatur, Curie Prærogativarum, Doctor Rivius,<sup>8</sup> et pariter cum illis præcipui nobiles familiæ Proregis, ex relatione ipsis facta per quendam exploratorem non sufficienter informatum, ibant personaliter bene associati ad quærendum dictum Eugenium in diversis ædibus, collocatis primum excubitoribus in quibusdam plateis et deviis angulis, ne ille forte evaderet, et in hac inquisitione tam fuerunt ardentis, quod non pepercerunt irruere in cubile cujusdam Illustrissimæ Comitissæ Catholicæ ex præcipua nobilitate tum Hiberniæ tum Angliæ, tametsi ejusmodi irruptio esset contra libertatem et privilegium, quo in Hibernia gaudent tales honoratæ personæ. Quæ

<sup>1</sup> Sir Arthur Chichester, Lord Deputy of Ireland. In a letter of 18 March, 1615, to Secretary Winwood, at London, stated that the "titulary Archbishop" (Matthews) was often in Dublin, but that he could not "get him nor any draught upon him," though he had "offered largely for it."—Calendar of State Papers, Ireland, 1615-25. London: 1880.

<sup>2</sup>, <sup>6</sup> Thomas Jones, Archbishop of Dublin, Chancellor, Ireland.

<sup>3</sup> Hugh O'Neill, Earl of Tirone.

<sup>4</sup> Ultonia, Ulster.

<sup>5</sup> Peter Lombard.

<sup>7</sup> Adam Loftus.

<sup>8</sup> Thomas Ryves.



proinde Comitissa tunc e lecto vix levata, valde terrebatur et offende-  
batur tam subitanea et armata visitatione. Verum Dominus Eugenius,  
Archiepiscopus, prout Deus voluit, erat extra potestatem sic ipsum  
inquirentium, atque in ista inquisitione plures alii sunt apprehensi et  
commissi carceri, tam ecclesiastici quam alii; unus regularis et alius  
presbyter sæcularis nomine Guilielmus Donatus, qui licet in lecto  
decumberet ægrotus, tamen quia putabatur esse Capellanus dicti Archi-  
episcopi, coactus fuit se levare et alios comitare ad carcerem, ubi adhuc  
detinetur. Confrater vester, Archiepiscopus Casselensis<sup>1</sup> et alius hic  
vester delegatus, in suspitionem aliquam venerunt, quod essent concii  
proditorum molitionum ejusdem Eugenii, quippe quem ipsi non  
Archiepiscopum seu Episcopum, sed Architraditorem nominant, et sub  
eo nomine quærunt et investigant. Verumtamen quoad opinionem et  
notitiam meam de illo, nunquam potui aliquid tale in ipso observare, sed  
potius contrarium reperi, quod nunquam inter nos aliquid tale intenderit,  
et quod semper exhortabatur clerum suæ Provinciæ ne se intermitterent  
in ullis negotiis politici Status, sed hoc non potuit persuaderi illis qui  
præsunt politico statui, imo censent quod negotiatus sit in ejusmodi rebus  
tam foris quam domi. Deus custodiat innocentes, et servet eos qui sunt  
sinceræ intentionis.

"Atque alia ejusmodi de eodem sunt transcripta in aliis litteris.

Endorsed: "De statu Hybernæ causa Archiepiscopi Dubliniensis  
Eugenii, etc., 1615-[1617]."

## 5.

## DECLARATION BY IRISH ROMAN CATHOLIC PRELATES, A.D. 1648.

## "EXEMPLAR DECLARATIONIS FACTÆ KILKENNÆ CONTRA CESSATIONEM.

"Per Archiepiscopos et Episcopos regni Hiberniæ congregatos coram  
Illustrissimo ac Reverendissimo Domino Joanne Baptista Rinuccino,  
Archiepiscopo et Principe Firmano, ac in eodem regno Nuntio Extraor-  
dinario.

"Nos, videntes ab Illustrissimis Dominis Supremi Consilii tractari de  
armorum Cessatione cum Domino Barone de Inchiquin concludendâ,  
existimavimus officii nostri esse et curâ quam de religionis Catholicæ  
incremento et animarum nobis commissarum promovendi ac conservandi  
habere debemus, ut illius Cessationis momenta attente [pond]ereremus  
et studiosè consideraremus. Discussis igitur enucleatè rerum et  
temporum præsentium circumstantiis et casibus omnibus ad id per-  
tinentibus, invenimus prædictam Cessationem omnino tendere ad ruinam  
Catholicæ religionis cultorumque ejus in hoc regno; ac propterea  
conscientia moti eandem Cessationem periculosam planè et iniquam  
esse declaramus ac nulli tutum esse eam amplecti. In quorum omnium  
ac singulorum fidem ac robur, declarationem hanc describi fecimus, et  
descriptæ subscripsimus.

Datum Kilkennæ, die 27 Aprilis, 1648.

H. Armachanus.<sup>2</sup>—Thomas Dubliniensis.<sup>3</sup>—Joannes Tuamensis  
Electus.<sup>4</sup> — Thomas Cashellensis.<sup>5</sup>—<sup>6</sup>Patricius Waterford et

<sup>1</sup> David Kearney, Archbishop of Cashel.

<sup>2</sup> Hugh O'Reilly, Archbishop of Armagh.

<sup>3</sup> Thomas Fleming, Archbishop of Dublin.

<sup>4</sup> See Appendix X, p. 355.

<sup>5</sup> See Appendix VI, p. 352.

<sup>6</sup> Patrick Comerford.

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Lismor. — Emerus Clogherensis.<sup>1</sup> — Franciscus Aladensis.<sup>2</sup> — Edmundus Limericensis.<sup>3</sup> — Antonius Clunmagnoensis.<sup>4</sup> — Boetius Rossensis.<sup>5</sup> — Ter. Imolacensis.<sup>6</sup> — Robertus Corkagiensis et Clonensis.<sup>7</sup> — Andreas Finiborensis.<sup>8</sup> — Andreas [Arthurus] Dunensis et Conorensis.<sup>9</sup>

"Exemplar delegationis non possum nunc reperire, sed illud est datum Kilkennix, 4 Maii, 1648, quo deleguntur a 14 superioribus Episcopis Illustrissimus Nuntius, Archiepiscopus Dubliniensis, Episcopus Clogherensis, Episcopus Aladensis, et Episcopus Limericensis, ut re Catholicæ provideant et speciatim ut tueatur Declarationem superscriptam etiam censuris Ecclesiasticis, si opus sit, et datur facultas Domino Nuntio unum aut plures subdelegandi in locum alicujus absentis."

## 6.

LIST OF IRISH ROMAN CATHOLIC PRELATES<sup>10</sup> [Circa A.D. 1654-9].

"Dispersiones Episcoporum Hiberniæ per Europam :—

Archiepiscopus Tuamensis.—In Gallia.  
Episcopus Aladensis.—In Gallia.  
Episcopus Dromorensis.—In Gallia.  
Episcopus Corcagensis.—In Gallia.  
Episcopus Archadensis.<sup>11</sup>—In Gallia.  
Episcopus Finoborensis.—In Gallia.  
Episcopus Fernensis.<sup>12</sup>—In Gallia.  
Episcopus Laencinensis.<sup>13</sup>—In Hispania.  
Episcopus Kilmorensis.<sup>14</sup>—In Hibernia.  
Episcopus Clunfertensis.<sup>15</sup>—In Germania.  
Episcopus Duacensis.<sup>16</sup>—Londini, in Anglia.  
Episcopus Clunmacnosensis.<sup>17</sup>—In Alma Urbe."

## 7.

## ADDRESS TO POPE, CARDINALS, AND CATHOLIC CHURCH BY EXILE IRISH [Circa A.D. 1654].

"Sanctissimo Patri Innocentio X., Eminentissimis Cardinalibus, Prælati omnibus, ac clero Catholico universo, Hiberni pro fide exultantes humillime supplicant :

"Gens universa Hibernica, quæ a tot retro sæculis fidem Catholicam et inconcussum erga Apostolicam Sedem affectum constantissime servavit, nunc extremis miseriis oppressa, et brevi (ni maturè subveniatur) penitus peritura, rogat te, Sanctissime Pater, et vos, Ecclesiæ Catholice

<sup>1</sup> Emer MacMahon, Bishop of Clogher.

<sup>2, 3, 6</sup> See Appendix X, p. 355.

<sup>4, 17</sup> Antony Geoghegan, Bishop of Clonmacnoise, translated to see of Meath, A.D. 1657. See Appendix XIII, p. 359.

<sup>5</sup> Boetius Mac Egan, Bishop of Ross.

<sup>6</sup> Terence Albert O'Brien, Bishop of Emly.

<sup>7</sup> Robert Barry, Bishop of Cork and Cloyne.

<sup>9</sup> Arthur Magennis, Bishop of Down and Connor. For observations on the above document see "Contemporary Hist. of Affairs in Ireland," 1641-52, Dublin: 1879, vol. i., p. 216.

<sup>10</sup> See Appendices X., XI, pp. 355-6. <sup>11</sup> Ardagh. <sup>12</sup> Ferns. <sup>13</sup> Killaloe.

<sup>14</sup> Kilmore.

<sup>15</sup> Clonfert.

<sup>16</sup> Kilmacduagh.

Proceres, ut attendere dignemini, quo loco sint res suæ Christianæ et publicæ. Speramus solam ac nudam calamitatumstrarum narrationem suffecturam, ad movenda caritatis ac misericordiæ vestræ viscera, ut filiis vestris opem in suprema necessitate inclamantibus, auxiliatrices manus porrigatis.

“Anni sunt centum et amplius, cum hæresis miseram affixit Hiberniam, possessionibus, bonisque omnibus quamplurimos Catholicos spoliavit; animi tamen remansere inconcussi; vix enim trecenti ex illo tempore a fide defecere.

“Anno 1640, Presbyteriani, seu Calvinistæ, non solum fidem Catholicam cum Hibernis extirpandam decrevere (uti constat ex publico instrumento 5000 hæreticorum nominibus subscripto), verum etiam bellum contra Carolum I., Britanniae Regem, excitarunt, eo prætextu quod ipse cum Antistite Cantuariensi conspirasset ad religionem Romanam in Britannia stabiliendam, nimisque indulgeret Hibernis, qui detectis jam Puritanorum contra se ac fidem machinationibus, pro tuenda libertate conscientiae, quam possidebant, arma sumere. Novam igitur ineunt Hæretici Angli ac Scoti confederationem, qua jurejurando sancitum est, ut ubique terrarum, sed præcipue in tribus regnis Britannicis, religionem Catholicam everterent, illiusque fautores adeoque Regem Carolum à medio tollerent. Hoc totius belli discordiarumque civilium seminarium et origo; hoc pravi foederis vinculum: Hæc Carolo Regi iniquissimæ necis occasio; hæc servitutis Anglorum, novi insolentisque regiminis, basis ac fundamentum; utpote quo ingentes pecuniarum summas, ex innato Puritanorum adversus religionem ac gentem Catholicam odio colligere.

“Igitur post funestam Regis tragediam, devictis a facie populi Britannis, victorem militem transtulit in Hiberniam Cromwellus; mox per edictum nomine Parlamenti ac suo promulgavit, Catholicos qui se vellent submittere Reipublicæ Anglicanæ, non esse bonis, aut possessionibus, imo nec religione, spoliandos, nullius siquidem conscientiae vim inferendam. Rei familiaris inopia multis persuasit, ut se traderent fidei ac sponcioni Cromwelli; deinceps alii infelicibus successibus fracti, jamque ad extrema redacti, oblatas condiciones, renitenti licet animo, amplexi sunt. Sed neutris servata fides publica, in singulis capitibus violata.

“Oppressa Hibernia, serio consultatum est inter hæreticos, an omnes Catholicici simul trucidandi essent, an vero extirpandi paulatim, et per partes? Diu anceps fuit controversia; tandem vicit secunda sententia, utpote infamiae minus obnoxia, ac publicæ omnium censuræ. Quod revera hæc seriò agitata ac designata fuerint, vel ipse satis probat eventus, cum gubernatores hæretici ita omnia disponant ut ex illis sequatur totius gentis Catholicæ inevitabilis extirpatio. Pars enim in exilium amandata ad Bermudas, aliasque Americæ insulas. Pars in Hispaniam, Galliam, ac Belgium: Quæ reliqua est in Hibernia, adeo tributis consulto opprimitur, ut jam multis hominum millibus desint necessaria ad vitam conservandam. Non pauci viri generosi ostiatim emendicare coguntur, nonnullique promiscuè cum infima plebe, mancipiorum instar, villi pretio Bermudæ mercatoribus per militem venduntur. Multi illustres viri ac feminae famulatum ambiunt in Anglia, aliisque regionibus. Plurimi qui amplissimo fruebantur patrimonio inter gregarios milites exulant à patria, ne sint spectatores carissimarum uxorum ac filiorum cum fame ac morte colluctantium.

“Vera satisque nota referimus, Beatissime Pater, Proceresque Ecclesiae, etsi vix fidem inventura apud homines, qui ex humanitate sua cæteros æstimare solent. Atrociora tamen supersunt, et cæteris adhuc nationibus vix audita. Hæretici, tot, tantisque malis Hibernos ad mortem non satis properare arbitrati, et moræ impatientes, eorum miseras reli-

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quias simul universas præcipitare volunt. Pœna capitali sancitum est ut omnes Catholici ad dictum mensem ac diem, patria, ædibus, ac possessionibus relictis, transmigrant in Conaciam, occidentalem Hibernie provinciam, bellis prorsus vastatam ac desolatam. Paludosa primum ac montosa loca occupare jubetur infelix transmigratio, dein cætera inculta, ac ruinis horrida. Ex tenui peculio nihil secum auferre possunt; tum quia tributis quæ exiguntur vix sufficit, tum quia pretium vecturæ non æquaret. Ergo sine discrimine ullo sexus, ætatis, aut conditionis, 'Transplantari' (hoc enim utuntur vocabulo) oportet. Multis matronis, viduis, septuagenariis, Parlamento nunquam infensis, negata fuit facultas remanendi in aliis provinciis. Nonnulli Angli eandem cum Hibernis fortunam subire coacti, quoddam eandem profiterentur religionem.

"Quod fides sola tam ingentem hæreticorum rabiem et tyrannidem in nos concitavit, nemo est qui possit ambigere. Sæpius enim Catholicis ingenuè professi sunt gubernatores aliqui hæretici, omnia mala nostra, ipsamque (ut vocant) 'Transplantationem,' abjuratone Sanctissimi Sacramenti, ac Primatus Summi Pontificis, vitari posse. Verum constantia Hibernorum tentatione tam gravi ac vehementi non tantum concussa non est; sed etiam majores inde vires atque animos resumit. Omnes enim adulti, post expiatis conscientias, Sacrosancta Eucharistia refecti, post religiosum trium Sabbathorum jejunium (quod et præstiterunt infantes) voverunt unanimes, se nunquam fidem Romanam deserturos.

"'Vox,' tamen, 'in Rama audita est, ploratus, et ululatus multus.' Homines sunt Hiberni, humani nihil a se alienum putant. Humanum est ad summæ inopiæ, et dedecoris, ac mortis adspectum expavescere. Juvenes enim ac virgines non possunt non plorare speciei ac florentis ætatis jacturam. Ululant matres, dum liberos vident immatura morte rapi ad sepulchrum. Speramus tamen fore ut de Ecclesia Catholica, et Hibernis, vere cani non possit, 'Rachel plorans filios suos, noluit consolari, quia non sunt.' Absit ut Ecclesia, hoc est, Summus Pontifex, vosque, Illustrissimi Prælati, Hibernos filios vestros amissos lugeatis. Absit ut hæretica pravitas vestram superet pietatem. Ne patiamini ut coram Deo, et in seram posteritatem exprobari vobis possit, per vos stetisse, quod minus populus totus, adhuc semper Catholicus, non periret: et tot millia parvulorum, ac fratrum Christi, panem petiisse, et non fuisse qui frangeret eis.

"Quamvis in omnes indiscriminatim utriusque sexus Catholicos hæresis sæviat, maxime tamen in sacerdotes, ut percussis pastoribus grex omnis dispergatur. Cuilibet sectario fas est in quacunque domum, qua velit hora, ingredi, insolenter dominari, caputque familie eodem atque sacerdotem supplicio afficere, si quis in domo reperiatur sacerdos. Tot sunt per totam Hiberniam sparsa præsidia ut nemo iter facere, immo nec ambulare possit, quia a militibus rigidum subeat examen, quis sit, unde, et quod? Ignotos omnes illic capiunt, eo saltem prætextu, quod de sacerdotio sint suspecti. Hinc fit ut sacerdotes incredibilia patiantur incommoda, latitentque in sylvis, montibus, paludibus, cavernis subterraneis, ac sepulchris; è quibus tamen macilentii, pallidi, et vix semivivi eruuntur; alii ad patibulum, alii ad Barmudas, multi languescunt in carceribus, plurimi exulant a patria cum ordinis ecclesiastici turpi nota emendicantes. Gladio periire Episcopi quatuor,<sup>1</sup> sacerdotes ac religiosi innumeri, et in sola Midensi diœcesi triginta, plures in aliquibus aliis: omnes viri pietate ac doctrina insignes, plerique et genere illustres, de quibus brevi catalogus pertextetur.

<sup>1</sup> See page 346.

“Hæc cum sint certissima et publica, non desunt qui turpis lucri, et libertatis gratiâ prædicent, Hibernis Catholicis expectandum opportuno tempore, hoc est, cum eorum nemo superstes fuerit, majorem a Cromuello, Regis ac sacerdotum homicida, favorem quam a legitimo Rege nostro Carolo Secundo; qui semel concessas nobis pro religione et clero Catholico condiciones nunquam violabit: illius clementiam sæpius experti, nunc inter exilii miserias curam paternam sentimus. Petitione enim nostra motus, nec sibi nec nobis deerit in sollicitando apud omnes calamitatum nostrarum sublevamento; quod aliter fieri nequit quam vestris, O Proceres Ecclesiæ, auxiliis, in quibus procurandis, ac colligendis, ut fraudes vitentur, solis illis fidem haberi rogamus, qui ad id præstandum a sua Majestate approbati fuerint. Nostra enim salus, ac libertas religionis, ab ipsius fortuna et incolumitate pendet. Odio Cromuellianæ tyrannidis, et innato populi ac nobilitatis Britannicæ erga Regem suum affectu, arma nostra ac vestra liberalitas, Deo propitio, felicem sortientur effectum.

“Eo majori fiducia isthæc petitum venimus, Beatissime Pater, quod pro ordinis ecclesiastici non solum libertate, sed etiam splendore, rejecta pace, novum bellum suscepimus: in quo Prælatorum ductum, imo et imperium secuti sumus; ut filii obtemperavimus Episcopis et pastoribus animarum nostrarum. Oblatas pro religione condiciones respuimus, quia pro clero non amplissimas. Quam dispari nunc forte foret Hibernia, si concessis a Carolo I. conditionibus contenta fuisset. Certe ecclesiastici non emendicarent, nec serviret nobilitas, nec gens universa in extremum præcipitaretur exitium. Misericordia dignum est, ad tantas miserias, impellente pietate, devenisse.

“In hoc tamen rerum nostrarum deplorando et miserando statu, id unum petimus, ut possimus sanguinem ac vitam pro restituenda religione, et asserendo Christo Hibernia profundere. Triginta et supra virorum millia in variis Europæ partibus dispersa erramus; egeni, extorres, omni fermè ope humana destituti. Si a vobis præsentī subsidio juvemur, animi nobis ac vires, Deo favente, sufficient ad pellendos à patria nostra, quidni et ex universa Britannia, atroces fideicidas et Regicidas. Bella sacra a Pontificibus Maximis olim sæpius indicta sunt: nuper pro defendenda contra Turcas et hæreticos religionē, auxilia potentia per Pontifices, et proceres ecclesiasticos in varias regiones submissa fuere. Obsecramus, ut cogitetis, an bellum ullum sacratius esse possit, et auxilia melius collocari, quam pro tuenda salute Catholicæ gentis ac religionis universæ. Hoc denique per Christi cui servire volumus amorem perpendite; gentem nostram in extremo animarum ac corporum discrimine constitutam, non aliunde magis, quam a caritate Patrum populi Christiani opem sperare, ac petere, debuisse. ‘Ne dicant gentes, Ubi est Deus eorum?’ Ne dicant hæretici, Ubi est caritas Catholicorum? Ne inimici Ecclesiæ juste objicere possint, ecclesiasticos tanto ubique numero florentes, cū pereuntibus filiorum suorum millibus auxilio esse possent, pereuntium spectatores otiosos esse maluisse. Vos genti semper Catholicæ cum extrema egestate, et ipso exitio, ob causam optimam, nec sua culpa, luctanti, ut potestis ac debetis, subvenite: nos pro vobis ac religione pugnabimus, et moriemur.

“AD LECTOREM.—Lector Christiane, universam nationem Anglicanam non accusamus, quasi detestandorum criminum, de quibus hic loquimur, conscia esset; sed tantum de parricidis et Regicidis illis, qui religionem extirpare, monarchiam subvertere, et gentem Hibernicam destruere nituntur: Cū nobis constet Anglos, excepta vili plebeculæ facie, sensu et misericordia malorum quibus opprimimur, tangi.”

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ARCHIVES OF THE TOWN OF GALWAY.—QUEEN'S  
COLLEGE, GALWAY.—By JOHN T. GILBERT.

LITTLE accurate information of early date is extant in relation to Galway, the capital of the Western province of Ireland. From the first part of the thirteenth century the town was under the control of the heads of the family of De Burgh, Anglo-Norman Lords of Connacht, who appointed its provosts or portreeves. Towards the close of the sixteenth century expenditure is recorded to have been made on the walls and fortifications of Galway from tolls levied there on wine, wool, cloth, leather, salt, fish, and other articles. The customs received at Galway in the thirteenth and fourteenth centuries were considerable, and much exceeded in amount those paid in Limerick at the same period. Grants for levying imposts to be applied to fortifying and repairing the walls of Galway were made by Edward III. in 1361 and by Richard II. in 1396. The latter King, in 1396-7, by charter, conferred on Galway various privileges in connexion with trade, and authorised the Provost and burgesses to elect annually from among themselves a sovereign or chief magistrate for the town. This charter set forth that the key to parts of the land of the King of England in Ireland was the town of Galway, in which his liege people as well as strangers were received, protected and comforted, but that it was so encompassed by English rebels and Irish enemies, that traders or others dared not approach it by land or water without a considerable guard; and that the burgesses, for its security, custody and defence, to their great impoverishment, maintained at their own cost, many men-at-arms, continuously by day and night. The annual election of a Mayor and Bailiffs at Galway was sanctioned by Richard III. in 1484, under a charter which included a prohibition against any lord, official, or other person entering the town without license from its authorities. In the same year the church of St. Nicholas, in Galway, was, with Papal sanction, made collegiate under the rule of a warden and vicars, to be annually elected by the Mayor and his council. Henry VIII., in 1536, addressed a mandate to Galway, in which, among other matters, he ordered the inhabitants not to sell merchandise except in market towns; to shave their "over lips," to let their hair grow till it covered their ears; to wear English caps and attire shaped after the English fashion; to forego the use of saffron in their garments, to have not more than five standard ells in their shirts; to adopt the long bow and English arrows; to learn to speak English, to "use themselves after the English fashion," to reform the administration of justice by the Mayor and Bailiffs, not to succour the King's enemies, and not to forestall Limerick market. In 1545 Henry VIII. confirmed the previous charters of Galway and added further privileges. A charter was granted by Queen Elizabeth in 1575, about which time Camden<sup>2</sup> described Galway as a very fair and proper town, nearly circular in form and built almost entirely of solid stone. He added that it was well frequented by merchants, and had easy and gainful traffic by exchange of rich commodities both by sea and land. By a charter from James I., in December, 1610, the first Sheriffs of Galway

<sup>1</sup> Dated from Greenwich, 28th April 1536, State Papers, Ireland. Public Record Office, London.

<sup>2</sup> "Britannia," London, 1607, p. 757.

were appointed, and the town was constituted a separate county. At that period and subsequently, Mayors and Sheriffs of the Roman Catholic religion, after their elections, declined office and incurred fines rather than take the oath of supremacy. In 1642-3 Galway allied itself to the Irish Confederation in favour of Charles I. The administration of the town was then assumed by the Roman Catholics, and continued by them till its surrender in 1652, to the Parliamentary forces, after a siege of nine months. Under the Parliamentarians the government of the town was taken from the Roman Catholics, who were treated with much severity. In a petition for relief from the government of the time at Dublin, they described themselves as the descendants of "an ancient colony of English, planted in this nook of the country and endowed by the Crown of England, with charters, grants and immunities." A charter of incorporation was, in 1676, granted to Galway by Charles II. In 1686 Roman Catholics were, by order of James II, admitted to the Corporation; a Mayor of their religion was elected, and a new charter was issued by the King in 1687. During the subsequent war Galway adhered to James II. in opposition to William III. It was besieged with a formidable force by General de Ginkel in 1691, and capitulated on honourable terms in July of that year.<sup>1</sup> The administration of the town subsequently came into the hands of the adherents of William and Mary.

The oldest body of municipal records of Galway now extant is in a volume known as the "Statute Book" of that town or Liber "A," the contents of which consist of lists of Mayors, officials and councillors, copies of statutes or enactments, grants, petitions and memoranda, commencing in 1485 and terminating in 1709-10.

The volume is of paper, measuring fifteen inches and a half in length and ten inches in breadth; its leaves, numbered in old figures from 1 to 385, are occasionally written on both sides, some are blank or contain only a few lines, others are missing, and several are damaged, but have been repaired so far as practicable. In front are eleven leaves of an old and incomplete alphabetical table to some enactments in the initial part of the book. At the end of the volume the leaves from 301 to 385 do not contain any entries. The manuscript affords no information as to the time or circumstances of its commencement. The earliest writing in it would appear to be of the middle of the sixteenth century. With the exception of some Latin documents and entries, the contents are in English of peculiar and irregular orthography, frequently written in a contracted and obscure style. The original plan for the book seems to have been that the pages should be headed in chronological order with the names of the Mayors and officials for the respective years, and that under them should appear the records of the transactions during their administrations. In many cases, however, where probably no contemporary materials were available, these spaces remain blank. Others have been filled by the insertion of records of transactions long subsequent to the dates in the page-headings. Occasionally dates do not occur in connection with the entries so inserted, and it would be difficult to assign precise years to some of them. A document undated, but referable to 1557, appears on a page headed 1497, and an undated instrument assignable to 1500, is placed after a dated one of 1552. The book commences with the names of the first Mayor and Bailiffs of Galway in 1485. The entries for the sixteenth century begin on the lower part of the second leaf and extend to fol. 115. For ten

<sup>1</sup> See pp. 155, 156.

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consecutive years, from 1559 to 1568, there are no enactments entered. The records from 1600 to 1699 occupy from fol. 116 to fol. 271. From the early part of the seventeenth century many of the page-headings with the annual records of the names of the Mayors and officials, are written in large characters, in combination with heraldic and ornamental devices and interlacements, drawn with pen and ink. The styles of writing and ornamentation are exhibited in the reproduction of one of these pages in the "Facsimiles of National Manuscripts of Ireland, Part IV. section 2." The page with the record for 1685 colored with purple, red, and yellow. The name of the Roman Catholic Mayor in 1685 and 1686 is in large golden letters. Some leaves from important periods of 1641, 1652, and 1688-91, are missing. The entries for the eighteenth century are mostly short and extend from fol. 272 to 289. A few extracts from this manuscript were included in the "History of Galway" by James Hardiman, published in 1820, but no detailed account of it has hitherto appeared. Appended to the present report contents of the "Statute book" of Galway are given in the order in which they stand in the manuscript, with marginal references to existing leaves, and notes as to those which are missing.

A very small portion of the manuscript is occupied by the records of the fifteenth century. The names of the first Mayor and Bailiffs in 1485 are followed by entries on the reception of the Bull for the Guild of St. Nicholas, in that year, and the re-enactment of two statutes of 1460. One of these prohibited the letting of land within the town to any Irishman, without licence from its council and officers. Another statute required that all dwellers in the town should have "reasons weapons," according to their "vocation and calling." The manuscript does not make any reference to the remarkable act associated by local tradition with the Mayor of Galway in 1493. It is stated that a son was condemned to be hanged, for having in a fit of jealousy killed a Spanish visitor to Galway, and that, as no executioner could be found, the father carried out the sentence with his own hands.<sup>1</sup>

Among the matters recorded in the "Statute Book" to have formed the subjects of enactments, or to have occupied the attention of the administrators of the town of Galway, the following may be noticed:

1500: Admission of an aged member of an Irish sept to the freedom of the town on petition from his son, a goldsmith in Galway.—1501: Sales of bread, "single ale," and "honied ale."—Answer to cry at the gates with weapons of defence.—Variances and injurious language.—Form of lease of land in town.—1507: Sale of meat.—1510-11: Regulations for boatmen, coopers, shearmen, sales of frise, cloth, malt, butter, corn, grain, fish.—Overscers of honey.—1512: Expulsion of "Idle" men and women, unable to pay taxes.—1514: Rights of Mayors and officials in fish and flesh markets.—1516-17: Prohibition of loans or sales to Irishmen of boats, equipments, bows, guns, or powder.—"Bragging or boasting on the town" by Irishmen.—1518: Members of Irish septs not to be received in town at festival times without licence from Mayor.—1519: Exclusion of Irish judges and lawyers from town courts.—1523: Office and accounts of Mayor.—Interference with occupations or "sciences" of town dwellers.—1521-2: Precautions against fire and disease.—1522: Disobedience to Mayor punishable by imprisonment and incarceration in "lowest prison."—1523: Grants of freedom of

<sup>1</sup> A statute enacted by the Galway authorities, in 1548, required that persons condemned to death should be "put to execution" by the Mayor and officers of the town. See p. 412.



town restricted to those who speak English, and shave their upper lips weekly.—1524: Purchases from strange ship-merchants.—Injuries to the town by loading Irish galleys or boats.—1526: Rates of wages for carpenters and masons.—1526–28: Prohibitions against resorting to protection of Irishmen; against games with quoits, stones, hockie sticks, hand balls, cards, dice and tables. Adoption of cross-bows, long bows, hurling of darts and spears, and the “great foot-ball.”—1530: Levy of fine on Galway for manslaughter, according to amount settled by arbitrator on behalf of the town and by a Brehon, or Irish jurist, on the part of the country.—1532: Variances “between lineage and lineage.” Weapons drawn in quarrels to be nailed up in the pillory.—1536: Costly banquets by women on births of children.—1538: Security for fulfilment of contracts made in France, Spain, and “other lands,” for wines and merchandise.—1540: Parleys in the town with Irishmen.—1541: Purchases from merchants of Dublin, Limerick, Cork and Waterford.—1543: Display of goods in shop windows.—1544: Applications for “offerings” at Christmas, Easter and other festivals.—1548: Trials and executions of adversaries, found guilty of despoiling or plundering the commons of the town by land or sea.—1549: Detention in Galway of chiefs or members of septs till they compensated inhabitants of the town injured by them.—1550: Supplies of fish to Mayor and officials on “fish days.”—1552: Arrangements for “common house or inn” for strangers.—1553: Victualing of masons and carpenters for town works.—Banquets and feasts by Mayors and Bailiffs.—1554: Appraisement of silver plate in pawn.—1555: Fines for “buffets” to Aldermen, Bailiffs, Bachelors, and “Young men.”—1557: Arrangements for College of St. Nicholas and for election of Mayor and his councillors.—1574: Sale of meat.—1575: Compact of Mayor and Commons with Mac Donnell of the Isles of Aran and his clan.—1576: Practices of agents from Galway to Spain and other foreign countries.—1579: Deceptions in marking casks of wine in France and Spain.—Grant of freedom of town to Antony Fyton, Collector and Controller of Customs at Galway. Breaching of casks of wine and aqua-vitæ.—1579: Prohibition of exorbitant interest and of sending timber to foreign countries, in consequence of the great scarcity in Galway caused by the shipment of “green and high timber,” for many years past.—1584: “Confirmations and amplifications” of statutes made in 1485–6 and between 1505 and 1538.—“New ordinances” for Mayor and town; oaths for freemen, sergeants, constables and porters.—Periods for four general assemblies.—Forms for admissions of freemen.—1585–7, 1590–1: Forms of election and admission of Bailiffs and of indentures of apprentices and reception to freedom.—1586: Appointment of Council to the Corporation in all matters of law.—1587: Regulations for “Young men,” sent to foreign countries with goode.—1591: Levy of money for debts of town.—1592–5: Setting of lands; supplies of powder and match.—1599: Evasion of debts by residents in the country through protections from the Mayor.—1608: Property and documents of College of St. Nicholas.—1609–11: Fines and removal of Mayors for refusing oath of supremacy.—Reception of charter from James I.—1611: Appointment of Recorder.—1612: Office of Mayor; landing of wines; receipt of revenues.—1616: Fines for non-acceptance of Mayoralty and Shrievalty.—1621: Restrictions on making aqua vitæ and “strong beer,” in connexion with prices of malt and corn.—1625: Regulations for Mayor. “Indiscreet” disturbers of meetings in the town hall. Standard measures. Outery, howling and shouting at funerals.—1627: Expulsion of “young fellows, not of the birth of the town,” pretending to be scholars.—Tokens or marks for the caps of needy natives of the

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town, licensed to beg. Delivery of lists of scholars to the Mayor.—1631: Salaries of Mayor and Recorder.—1632: Certificate as to price of corn at Galway. Refusal of officials to comply with Governmental order as to oath of supremacy. Preparation of register of accounts and documents. Annuity to schoolmaster for training children of members of Corporation in "good literature and sciences liberal."—1638: Grant of freedom to Sir Francis Willoughby.—1639: Appointment of Warden of College.—1643: Mass and sermon by Jesuit in church of St. Nicholas. Surrender of fort by English garrison. Religious procession. Public works in the town. Order of precedence. Collection of excise.—1646: Order from Supreme Council of Irish Confederation. Attendance at burials. Condemnation of "*Disputatio Apologetica de regno Hiberniæ*."—1647: Freedom granted to the Marquis of Worcester. Petition from Abbess of Convent of St. Clare. Progress of works in the town.—1649: Letter from Charles II. Deaths from Plague. Services of physicians.—1653: Petition that the charter might not be in the "hands of the Irish and Papists." Removal of officials and appointments of others.—1670: Pursuit of pirate.—1674-7: Charter from Charles II. Purchase of grant of customs.—1687-90: Charter from James II. Building of quay and pier.—1691: Surrender of town and election of new officials.—1701-2: Memoranda on abundance of fish. Grants of customs of Galway from time of Queen Elizabeth.—1709-10: Letter of marque from Admiralty.

With the "Statute Book" of Galway are preserved some volumes containing entries of proceedings of the Corporation there from the year 1679. The earliest of these books is not in good condition and much of the writing in it is hasty and irregular in style.

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STATUTE BOOK OF TOWN OF GALWAY, A.D. 1485-1710.

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fol. [1].<sup>1</sup>

"Pyerse Lynche, ffurst Mayor of Gallwey, Androwe Lynche Fyze Stevne and Ihamis Lynche Fitz Marten, B[ay]llyvs, at Michalmas anno 1485.

"1.—The Bulle of the Colladge<sup>2</sup> whiche the Corporacion s bought was published and read in the courte-housse the iii. and vi. daye of November. in the yere above wrytin, 1485.

"2.—Item: It ys enactid for the common wealth that no marchaunt shall not lade ne transporte over the seas no unfre men's goodes, uppon payne to lesse that goodes and his ffredome. And also that no maryner ne shipe man shall carye nor tak no unfremen's goodes with him over the seas, but onelye fre men's goods, uppon payne to lesse the said goodes or the just vallouer therof; and the said maryner or shipman for so doinge to lesse and forfayte one hundred shillinges; and the sayd goodes and forfayts to be devidid into thre severall partes, as to saye: one

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<sup>1</sup> Many of the old numberings on the upper parts of the leaves of the Manuscript have been lost through decay. They are here and in the following pages supplied within brackets.

<sup>2</sup> Bull of Pope Innocent VIII., dated at Rome, sixth of the Ides of February 1484. in relation to the Wardenship of the Collegiate Church of St. Nicholas, at Galway.

parte to be to the reparacions and bulding of towne walles and workes, the second parte to the reparacions of the church, and the third parte to the officers for the tyme beinge.

"3.—Item : It ys enactid and agreid that no manner dweller, of whatsoever degre he or they be of, shall not sell nor set no lande or tennement within the same town of Galwey to no Irish man, withoute lycense of the Counsayll and officers for the tyme beinge, on payn of forfayting the sayd landes or tennement with an hundrid shillinges to be equally devidid as above wrytting.

"The above statutes was made by Will[iam] Duff Lynche, Suffrayn of the same [town], in anno 1460, and confirmyd by the above wrytting Perse Lynche, Mayor, with the reste of the Comence<sup>1</sup> of the same.

"Dominick Lynch Fitz John, second Mayor, Richarde Mares and Geffre Blake, baylyvs, in anno 1486. [2].

" Mayors :

Will[iam] Lynche Fitz Saunder	-	-	-	-	1487
Geffere Lynche -	-	-	-	-	1488
John Lynche Fitz John	-	-	-	-	1489
Robuock Linche -	-	-	-	-	1490
John Skeret -	-	-	-	-	1491
Thomas Lynch Fitz Edmonde	-	-	-	-	1492
Jhamis Lynche Fitz Stevne	-	-	-	-	1493
John Lynche Fitz Edmond	-	-	-	-	1494
Thomas Blake -	-	-	-	-	1495

Statutes :

"1.—Item : The xxii.th daye of Januarii in the yere above wrytting, it is statutid and established by the Mayor, Bailiefes and wholle Counsaill of this town of Galwey that no person ne persons of no degre shall not purchase ne shewe no manner wryte<sup>2</sup> againste anny of the enhabitanne of this same towne for anny matter untill suche tyme his matter or suite be pledid and tried in the Tollsell or Courte-housse befor the Mayor and Counsaill, on payne to lesse<sup>3</sup> the somm of xx<sup>ti</sup> poundes sterling, withoute anny remedy or grace, to be devidid into thre equall partes, as to saie, the one parte to the officers for the tyme beinge, and the second parte to repayre the commen workes, and the third parte to him on whom the said write was procuried or broughte.

"2.—Item : John Ffrenche being Maior in anno 1539, with the reste of the wholle Court and Consaill [h]is assente, have confirmid, ratiffid and established the above statute to be keapte and observid for ever more henchforth.

"3.—Item : Dominick Lynche being Maior ; Ambros Linch and Gorge Lynch, Bayliefs, in anno 1540, it was agreid by the wholle Courte and Counsayll that the said statute to be allwaye keapte and ratiffid and well observid from time to tyme as it is premitid.

"4.—Item : Laste of all, the above statute was confirmid and ratiffid by Thomas Blake, then beinge Maior, in anno 1563, by the assente of the wholle Courte. And further, for the better observing of the above statute, yt was orderyd by the said Mayor and Counsayll, that if in casse the Mayor neglechte to put the above penneltie in execution deulye by his tyme, the said Mayor that shuld so neglechte the excussion therof

<sup>1</sup> Commons.

<sup>2</sup> Writ.

<sup>3</sup> Lose.

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to paye, and paye and fforfayte of his own goodes towards the comon worrke the somm of the above penneltie, and the nexte Maior to put the same in execution. And if anny the defendantes shuld moleste or trouble the said Mayor for so doinge, the Corporacion standith bound to sarharmles the said [Mayor] in executinge the same statute from tyme to tyme.

fol. [8].

"Walter Lynche Fitz Robarte, Mayor; Wallintyn Blake and Thomas Bodikin, Baylyvis, in anno 1496.

"Mayors :

Dominick Lynch Fitz John	-	-	-	-	-	1497
Andrewe Lynch	-	-	-	-	-	1498
Jamys Lynch Fitz Marten	-	-	-	-	-	1499

Masters :

Edmond Deane	-	-	-	-	-	1500
John Lynche Fitz Henry	-	-	-	-	-	1501
Jamys Lynche	-	-	-	-	-	1502
Geffre Lynche	-	-	-	-	-	1503
John Lynche	-	-	-	-	-	1504

"Statutes :

"Item : That all dwellers within this town, as well fremen as unfreemen, shall from tyme to tyme have such reaysonable weapon accordinge to their vocation and callinge, on payn to forfayt xii.d. ster.

"Item : It is orderid and statutid that who so ever takith anny manys<sup>1</sup> pledge or paun with his own proper hand, without a sergeant or officere, he to lose hys accion and debtes for ever, and if it be provyd that ther is no debtes ouinge to him that so would take anny pledge to paye in payne the somm or valleue that he claymid withoute any grace, and his bodye to be put into prisson untill such tyme he paye the same.

fol. [4].

"Domynick Lynch Fitz John, Mayor; Walter Lynche and Oliver Lynche [Bailiffs], in anno 1497.

"[1.]<sup>2</sup> Item: In the honoring of Allmyghtie God and furtheringe of His Devin Service, the Mayor and Counsaill beinge assemblide, together with Sir Henry Brenegan, Wayrden, and the reste of the Colladge of this town, have, with one assente, consentid and agreid uppon that the said Wardayn and the reste of his brethren shall dayly saye or singe, as tyme requirith, in the quere<sup>3</sup> the tydes<sup>4</sup> or houres, as tercia, sexto and nono.

"[2.] Item: It is also agreid and ordered that the said Wardens and vicars shall keape residenc and housholld together contynually, as fare as ther pouer can extend.

"[3.] Item: It ys also agreid that all such corne or grayne that apertaynith to the said Colladge, ffarre or nere, shalbe deulie brought in verie to the maynteyninge and sustentacion of the same housse and Colladge.

"[4.] Item: It is orderid that it shall not be lafull for every the said vicars to spend or bestowe in ther privat chambers any thing belonging to the covente of the same.

"[5.] Item: That no preste nor vicare of the same be found out of ther chambers or Colladg housse, withoute it be with lafull bussnes and causes, by night tyme.

<sup>1</sup> His.

<sup>2</sup> This document appears to be of the year 1557, during the reign of Philip and Mary, when Brenegan, mentioned in it, was warden.

<sup>3</sup> Choir.

<sup>4</sup> Prayers at canonical hours.

"[6.] Item: The said Wardayn and vicars hath promised and grauntid with one assent, for them and ther successors, trullye to keape and observe thes statutes for ever perpetuall to be done from tyme to tyme.

"[7.] Item: That it is statutid and contractid by the wholle Counsaill, by the advismen and consente of the Wardyan and vicars, with the clerkes, as Will[i]am Mollogan and Matheue Lurcan, that foure boies for the augmentacion of Godes Devine Service shalbe assistinge and helpinge to singe dayly at the quere, specially at Mary masse<sup>1</sup> upon the sayd clerkes ys chardge consarninge ther learninge to said thre boyes upon the said Will[i]am, which thre he must enforme and teach to singe after the beste facion that he maye, or elles to paye one nobull<sup>2</sup> sterling to every of them, to be gyvin to another Master; and Matheue to fynd another child in like manner; the vicars and Colladge allwayes gyvinge the said childrin meat and drinke contynuallye. And the said boyes from tyme to tyme to be admittid and electid by the Mayor for the tyme being. And if the said prestes and Colladge or clerkes doth neeglecte and gaynsaye anything comprised in this statute, the Mayor so being shall levey upon them and every of them the yerly chardges or expensis of the said childrin. And this to be observid of them and ther successors perpetually.

"[8.] Item: Wher the Wardian and wickers<sup>3</sup> of the Colladge had complainid heretoffore upon the Mayor and Comenc of this town, contrary to ther liberties or charters, to the Lord Archbushope Bodiken,<sup>4</sup> which the said Mayor and Comence toke in evill parte so to complayne by the said Wardian and vicars on them, which ther antecessors had never done the like complaynt tofore, and had no auctoritie for so to do: Wherfor the Mayor and Counsaill hath, with one assente and consente, statutid and orderid, acordinge as all the Mayors and governors sethienc<sup>5</sup> the said Colladge was furste edictid and unittid together had the governance, correccion and jurisdiction of the sayd Wardayn and vicars for their disobediance, evill demeanours, or naughty proceedings, that the Mayors and officers from hencefourth perpetually shall in like manner controll, correcte and punish the said Wardians and vickers, they so offendinge, from henchforth withoute any further complaynt to be made by them or eny of them to Bushope or Archbushope, save onely to the Mayor and Counsaill for tyme beinge, on payn to lesse<sup>6</sup> ther lyvinges. And also that the said Mayor and Counsaill shall have the ellection, chossinge and admittinge of the Wardyn yerly, and the election of all such prestes or clerkes or anny man elles to serve in the church and Colladge.<sup>7</sup>

9.—Item: The said Mayor and Counsaill have with one assent promised and grauntid, for them and ther successors, that the Mayor so beinge shall save, acquite and deffend the said Wardyan and vicars, and ther successors, in peacable possession of all and singulare ther revenus, as well within as withoute this town, acordng as they would keape ther own goodes.

10.—Item: Also the said Mayor and Counsaill have gyvin and grauntid to the said Wardian and vicars, and ther successors, to be servid next after the Mayor for tyme beinge of ther parte of causulties<sup>8</sup> by alliantes<sup>9</sup> resorting to the town of Galwy, suche as shuld be profitable for ther housse. Further, the said Wardyan and vicars and ther successors to

<sup>1</sup> An early mass in honour of the Blessed Virgin.

<sup>2</sup> Coin styled a noble.

<sup>3</sup> Vicars.

<sup>4</sup> Christopher Bodekin, Archbishop of Tuam, A.D. 1536-7—1572.

<sup>5</sup> Since.

<sup>6</sup> Lose.

<sup>7</sup> An incorrectly dated transcript of this section is inserted at page 250 of the Ms.

<sup>8</sup> Casualties.

<sup>9</sup> Aliens.

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be free from all rentes or duties of the pasture and grassing of Capnewaugh, which they had in yefte<sup>1</sup> of John Athye.

fol. 5.

Androwe Lynche, Mayor; Petter Martin and Marten Ffannt, bayllvs, in anno 1498.

"[A.D. 1558.]—1.—To all men to whom this writtinge comith be knownin that we, Mayor, Bailieffes and Comenc of the Kinge and Queens Majesties town of Galwey, of our own meare gifte and voluntary will, and with one wholle assent, have gyvin, grauntid, and for ever more leate unto John Lynch Fitz John, of the same, burgenc, and his heires, a parcell of our ground, being at thes presentes waste withoute profit which parcell is cituatid besides oure wallis from Stevu Linch Fitz Arturs myll west, north, and south, to the runing watter of the sayd myll at south side, the mayne ryver at west, and the runing watter, cometh (sic.) as well of the sklus or dame, besyde the said myll as under bridge going to Saint Ffraunces Abbaye. And by the presents do gyve as graunte to the said John to his heyres and assigns the said parcell ground in lenth and bredith, with the appartenance all and singulare from us, our heyres, successors and assigns for ever more; the said John and his assigns yeldinge and paying to the comon purse of the same town yerly the sune of xij.d., ster. Also the said John and his heires ys bound to make no manner of reparacions ther but a loe gardinge, and plantinge anny great tres which mighte anoye the Comens or comen wallis of the same town or any therunto belonginge or apertayning. Also the sayd John and his heyres is bound to hurte not the said myll, the recourse of hys watters comming to or firo or any other therunto apertayning and hurt not the common wayes in no wysse. But that the Comenc from tyme to tyme maye and shall have ther common recourse to all the common watters withoute let or vexacion.

"To have and to hold the said parcell with the appartinances to the said John his heires and assigns from us. The said Mayor and Comens our heires, successors and assigns, the said John Lynch his heires, successors and assigns, in possession of the sayd parcell with the appartinances, agaynst all men in manner aforwryttin shall warrante and deffend for evermore by thes presents.

"In wittnes hereof we have not onely set hereunto our signes and common sealle, but also willid our Town Clerke to wrytte and sign this oure donacion. At Galwey, the xxth of October, 1558, et regis Regis Phillipi et [Regine] Marie v et vi, being present Richard Blak Fitz Geffre, Marten Lynch Fitz Jamis, Dominicke Linch Fitz John, Thomas Marten, William Skeret, Thomas Collman, Notary.

fol. 6.

"Jhamys Lynche Fitz Marten, Mayor; Peter French and Steu Lynch Fitz Jamis, Bayllvs, in anno 1499."

"[A.D. 1539.]—1.—In Dei nomine, amen: Inter Arthurum Linch. Maiorem ville Gallvie; Arthurum French ac Iacobum French, Ballivos, et eorum comburgenses, parte ex una, et Andream Brown de Athu[n]ry, parte ex altera; sic erat conventum: Quod predicti Maior, Ballivi et comburgenses dederunt et concesserunt, de se suisque heredibus et successoribus qui tempore fuerint, eidem Andree Brown, heredibusque suis, libertatem et franchisiam, ac ipsos pro liberis hominibus ac Domini nostri Regis Anglie legeis acceptantes et accipientes, pro retaliatione omnium

<sup>1</sup> Gift.

et singulorum bonorum et mercium ad ipsos spectantium in eadem villa Gallvie et infra libertatem ejusdem realiter fiendum et faciendum. Ita quod liberi sint prout ceteri homines alii liberi ejusdem ville. Et ad reteliam similiter. Jurati in communi retalacione omnium et singulorum bonorum ac mercium; ac emciones ac vendiciones libere facient ut alii liberi homines facere possunt. Necnon eciam predictus Andreas et heredes sui debent et tenentur nunc et inposterum respondere et solvere onera suportabilia ejusdem, juxta suam qualitatem, ut ceteri alii ejusdem qualitat. Et si predictus Andreas defraudaverit costumam Regis et predice ville, aut decolaverit bona alterius suo nomine, hoc probato non solum suam presentem libertatem perdat, ymo<sup>1</sup> etiam bona sive merces per eum decolarata omnino confiscantur, juxta statuta ville predice Galvie.

"In cujus rei testimonium tam predictus Maior quam Andreas manu sua presentibus subscripserunt. Et sigillum officii Maioratus nostri presentibus est appens im xxii. die Octobris, anno regni Regis Henrici Octavi xxxi. 1539.

"[A.D.1541.]-2.—Memorandum: Quod xix. die Januarii, 1541, in tempore Dominicii Linch, Maioris, ac Ambrosii et G[e]orgii Linch, Ballivorum, Nicolaus Brown de Athenry factus erat liber homo per Maiorem, Ballivos, et consilium ville predice Gallvie, sub modo et forma quibus predictus Andreas suam libertatem habuit, in omnibus et per omnia.

"[A.D. 1541.]-3.—Memorandum: Quod xix. die Januarii, anno instanti, Robertus Brown de Athinry factus erat liber homo per Maiorem, Ballivos, et consilium ville predice Galvie, sub modo et forma quibus predictus Nicholaus suam libertatem habuit, in omnibus et per omnia.

"[A.D. 1541.]-4.—Item: xxix. die mensis Julii, anno regni Regis Henrici Octavi xxxii., et Domini m<sup>o</sup>cc<sup>o</sup>cxli., Dominicus Brown Fitz William factus est liber homo omnibus modo et forma supradictis quibusquidem prelibatus Nicholaus Brown suam libertatem habuit ut aliter, sub sigillo Maioratus, plenius continetur, et idem Dominicus tenetur ad omnes exactiones et condiciones quibus predictus Nicholaus Brown, ut supra visum est, obligatur. In cujus rei testimonium nomen suum presentibus subscripsit, die mensis et anno quibus supra.

"[A.D.1542.]-5.—Memorandum: Quod x. die mensis Decembris anno regni regis Henricii Octavi xxxiii. et anno m<sup>o</sup>d<sup>o</sup>xlj<sup>o</sup>, in tempore Thome Lynch Fitz Stephin, Maioris, Petteri French et Jacobi Kerwicke, Ballivorum, Ricardus Brown Fitz William factus est liber homo omnibus modo et forma supradictis quibusquidem prelibatus Nicholaus Brown suam libertatem habuit, ut aliter sub sigillo Maioris plenius continetur. Et idem Ricardus tenetur ad omnes exactiones et condiciones quibus predictus Nicholaus Brown ut supra visum est obligatur. In cujus rei testimonium nomen suum presentibus subscripsit die mensis et anno quibus supra.

"[A.D. 1529.]-[6.]-Thomas Moore factus erat liber homo et heredes fol. 6b. ejus, in tempore Willielmi Mares, Maioris, ac Thome Linch Fitz Stephin et Ricardi Bodiken, Ballivorum. Postea, omnibus modo et forma sicut Dominicus Brown suam libertatem habuit in omnibus et singulis, ut supra: Oure meaning is that the said Thomas Moore and his heires shall have the liberties of this town as fre as anny man of the same had or hath, within and withoute, in bu[y]ing and selling, according as the Mayor, Baillivs and Counsaill had gyvin to him and to his heres for ever. Writtin in arno MDXXIX, Matheue Lurcan then beinge jurat Town Clerke.

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"[1543.] 7.—Memorandum that in the yere of our Lord God MDXLIIII. et regni Regis Henrici Octavi xxxvi, then being Mayor of this town, Johnakin Lynch Fitz Arture, Edmond Kyrvan and Edmond Bodicken, Bailieffes, Nicholas Coyn and his sonne, Thomas Coyne, with ther heires, was admittid and made ffre men of this town as in buyinge and sellinge, ladinge and transportinge oute of the same and in to the same, acordinge as all others have ther ffre liberties, within and withoute for evermore, pa[y]inge all kind of tax and talladge, with other duties, accordinge as all other ffre men of this town doth or shall do from tyme to tyme, notwithstandinge they have ther facultie or sience.

"[A.D. 1561.] 8.—Memorandum that in the yere of oure Lord God 1561, then beinge Maior of this town Nicholas Lynch, Nicholas Lynche Fitz John and Marten Lynch Fitz Christofer, Bailieues, Jhamis Laules was restoryd to the ffre liberties of this town acordinge as his cepte<sup>1</sup> was so founde to be ffre men and had liberties of this town, as members of the same Corporacions. Therfor it is ordered by the said Maior, Bailivis and Counsaill, hath gyvin, grauntid, and elected the said Jamys to the liberties and ffre dome of this town, acordinge as his ancestors have had heretoffor, and that liberties we do gyve to him in as ampull manner as any other person or merchant of this town hath or shall have for ever more perpetuallye.

fol. [7].

"Geffere Lynche, Mayor; Jamys Lynch, and Nicolas Freinch, Baylivis, in anno 1500."

"1.—Item: In the yere of oure Lord God 1552, then beinge Maior of this town, John Lynch Fitz John, Pers Lynch and John Lynch, Baylivis, one Richard Begge was admittid and made freman of the same town with thassente and consente of the said Maior, Bailivis and Counsaill, uppon condicion that the said Richard shall from tyme to tyme uphold and keape up for all strangers and other resorts in to this town a comon housse or ynne for victuallinge and lodginge of such strangers, and also shalle have and use himeselfe honestlie in obeying the Mayor and officers and as well the comon laues, ordinances and statutes of the same, on payn to lesse the said liberties and ffre dome. And uppon the above condicions we have gyvin the said Richard ffre liberties as well within as withoute the same town to buy, sell, lade, transporte or bargayn in and oute accordinge and in as ampull manner as every of the same town maye so bargayn and sell withoute any let or vexacion of any man of the same town.

2.—[1500].—To all men to whom this writtinge comith, the Mayor, Bailieues and Comens of this hir Majesties town of Galwey sendith greetinge in our Lord God everlastinge: Lettinge you to witte that for divers consideracions and for erniste respecte that we, the said Mayor, Bailieues and Comens had to the request made by one Andraue Ffallon, on the behalf of his daughter, Julian Fallon, who is married to Donill O' Ovologhan of this same town, goldsmith, and for the better reliefe of the said Androwe Ffallon, who is old and impotente, it is condecedid and agreid by us, the said Mayor and Bailivis and combrethern of Galwy, aforsaid, that the said Donill Ovologhan shalbe acceptid, taken and receivd in to our ffre domes, and lik as and accordingly oure previledges and charters, had and obtaynid of our suffraynis Kinges of ancient times. And by vertu therof we, the said Mayor and Baylieffes, with oure combrethern, have gyvin and grauntid unto the said Donyll ffre dome and

<sup>1</sup> Sept.



ffre liberties in as ampull and lardg manner as we grauntid to anny other ffreman made by us and by thes presents we do gyve and graunt to the said Donyll his ffreedom and ffreedom and ffre liberties as well within this town, as also within and without the fraunchies and ffre liberties of the same. And by thes presents the said Doniall shall and may occupie the trade of merchandice and all manner warres in lading and discharging of his goodes, warres, and merchandice into forayn realmis and from thence to this town of Galwey, and after the transporting of of the same to sell the said warres and merchandice and unake seallis therof as well by grosse as retaylle, and thus to use the ffreedom and liberties of the same town as all other ffreemen doth withoute leat or truble of any person or persons, the said Donill answering the Comons accordingly ther costoms according his vocacion from tyme to tyme. In wittnes whereof we the said Stevn Arture Lynch, Mayor, and ouer Bayllys, Jamis Lynch and Nicholas Frenc[h], with the rest of our Counsaill, have set hereunto our signes.—[Undated.]”

“Robouck Lynche, Mayor; David Kyrvan and John Mares, Baylyvis, fol. [8]. in anno 1501.”

“John Lynche Fitz John, Mayor; Patrick Lynch and Walter Fitz fol. [9]. [Thomas] Lynche, Baylyvis, anno 1502.”

“Edmond Deane, Mayor; Cornell Fallon and William Kyrvan, fol. [10.] Baylyvis, in anno 1503.”<sup>2</sup>

“Stevne Lynch Fitz Dominick, Mayor; Edmond Athy and Robart fol. [11]. Lynch Fitz Martin, Baylyvis, in anno 1505:

“Masters:

Petter Lynche,	John Athey,
Dominicke Lynche,	Androue Lynch,
Robocke Lynche Fitz Henry,	John Lynch Fitz Edmond.
Jhamis Lynch Fitz Stevne,	Jamys Lynch Fitz Martin,
Edmond Deane,	Olyver Lynche.—10.

“Statutes:

“1.—Item: It is orderid and statutid for the profite and common welth of this town of Galwey, by the whole courte with one assent, that if anny oute landish man or enny of the enhabitantes within the ffraunchiesse of the same town shall take or cause to be taken anny the enhabitauntes of this town either by word or dede, for anye discord, variaunce, hattred or ingerous<sup>3</sup> wordes or langauge spokin, movid or moshioned betwixte anny brother or neighbour of Galwey, so that one neighbour procure for evill will to his neighbour so to be taken as aforesaid, that then he which procurid the said taking, if it be so provid uppon him, shall ramsion<sup>4</sup> and restore agayn that person so taken by his advice, renderinge to him all such costes, lostes and damages as he shuld sustayne by the said takinge and the reste of all his goods to the prince and officers for the tyme beinge.

“2.—Item: That every man that answerith not the crye or skrimishe at every of the town gattes, at the begining, with his feansabull<sup>5</sup> weapon, to paie and forfayte xii.d.

“3.—Item: That no householder of this towne be no hostler nor no maynteyner of the comon [w]horsse or harlots, on payn of v.s. viii.d.

<sup>1</sup> This name appears to have been entered in error, instead of that of Geffere Lynch, who was Mayor in 1500, with the above-named Bailiffs.

<sup>2</sup> The only entries on leaves [8], [9], and [10], are the headings above given.

<sup>3</sup> Injurious.

<sup>4</sup> Ransom.

<sup>5</sup> Defensive.

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fol. [11b.]

"4.—Item : That there be no sale bread, singill ale, nor honyed ale be mad in towne, but by fire men. And that not to be done by the without license of the officers for the time being, on payne to forfeit xii.d.

"5. [1565.] Omnibus Christi fidelibus, ad quos presentes scriptum pervenerit, Stephanus Lynche Fitz Dominicke, Maior ville Galvie, Edmundus Athi ac Robertus Linch Fitz Marten, ballivi, salutem : Noverit universitas vestra nos, unacum consensu et assensu (*sic*) ad bonum et utilitatem ..... dedisse et concessisse et hoc presenti scripto nostro confirmasse Waltero Marten, ejusdem ville mercatori, suisque heredibus assignatis imperpetuum, spacium septem pedum in latitudine [et] longitudine a vico predicto ex parte occidentali usque ad murum dicte ville ex parte orientali, nuper turrin factum de quodam tenemento pertenente ad comunitatem dicte ville et quod, concessione et donacione ejusdem comunitatis, pro annuo censu tenet et possidet Johannes Blake filius Walteri Blake. Ita ... quod dictus Walterus Marten amoveat edificia ibidem edificata ad proximiorum locum contiguum ipsis septem pedibus ipsaque edificia rehedificabit, restaurabit et reparabit in statu quo modo fuit, suis propriis laboribus et expensis et similiter faciet et construet honestam et congruentem viam gradientem ascendendum ad dictum murum, ipsosque septem pedes decenter paravit pro communi servicio et utilitate dicte communitatis. Et quia dictum tenementum fuit diminutum in spacio dictorum septem pedum, Maior Ballivi, comburgenses et communitas remiserunt et relaxaverunt dicto Johanni suisque heredibus imperpetuum sex denarios de redditu dicti tenementi. In cujus rei testimonium sigillum nostrum commune prestatibus apponi fecimus, datum Galvie, xvi.<sup>o</sup> die mensis Apprielis, anno regni Regis Henrici VII. xx<sup>o</sup>, et Domini m<sup>o</sup> d<sup>o</sup> v<sup>o</sup>.—Tempore Martini Lurcan, Publici Notarii.

fol. [12.]

"Thomas Bodikin, Mayor ; Richard Deane and Laynard Lynch Baylyvis, in anno 1506 :

"Masters :

Pers Lynche,  
Dominicke Lynch Fitz John,  
Robouck Lynche,  
Jamys Lynche,  
Edmond Deane.  
John Athy,

Androue Lynche,  
John Lynch Fitz Edmond,  
Jamis Lynch Fitz Martin,  
Olyver Lynche,  
Stevne Lynche Fitz Dominicke.—<sup>12</sup>  
(*sic*) :

"Statutes [*Blank*] :

fol. [13].

"Artur Lynch, Mayor, Will[i]am Josse and Antony Lynch Baylyvis, in anno 1507, beinge drowned in falling over the west bridge at St. Kateryne day, the sayd yer, the 25 of November :

"Masters :

Petter Lynch,  
Dominicke Lynch,  
Robouck Lynch,  
Edmond Deane,  
John Athy,  
Androue Lynche,

John Lynch,  
Jamys Lynch Fitz Martin,  
Olyver Lynch,  
Stevne Lynch Fitz Dominick.  
Thomas Bodiken,  
Jamis Lynch Fitz Stevne.—<sup>12</sup>

<sup>1</sup> The writing in the preceding entry is indistinct and irregular.    <sup>2</sup> See page 31.

## " Statutes :

" 1.—Item : That no boucher shall take no coaye goulle nor skeinhglac (*sic*) oute of no cowe that he sellith, and that they sell no fleshe, whether it be beffe, porke, or motton, and that to be veary good, beffor it be preysed by the officers in the shambles, uppon payne to fforfayte ii.s. sterling.

" 2.—Item : That no botte<sup>1</sup> man [nor] dryve man shall not draue nor drinke nether by land nor sea no merchaunte [h]is wyne, he or they that so do to paye for the fillinge of the said wyn whether it be bute, pipe or hoggised.

" 3.—Item : That no botte men shall not gyve no merchantes salte to no man or woman, withoute license of the merchante, on payn to lese xii.d.

" Stevne Lynch Fitz Domnick, Mayor ; Richard Lynch and Will[i]am fol. 14. Maryse, Baylyvis, anno 1508 :

## " Masters :

Dominick Lynche,  
Robucke Lynche,  
John Lynche,  
Edmond Deane,  
John Athy,

Androue Lynch,  
Jamys Lynche,  
Olyver Lynche,  
Jamys Lynch FitzMartin.—10 (*sic*).

## " Statu[te]s :

" 1.—Item : Whatsoever man, woman, or childe, be found foulling the streets or walles ether by night or day to lesse ii.d.

" 2.—Item : That every man make cleane befor his door ons<sup>2</sup> every wick.<sup>3</sup> And that no donge heape be made uppon the strettes on payn xii.d.

" Stevne Lynch Fitz Jamys, Mayor ; Edmond French and Adam fol. [15]. Faunt, Baylyvis, anno 1509 :

## " Masters :

Robuck Lynch,  
Jamys Lynch,  
John Athy,  
Androue Lynch,  
John Lynche,

John Lynche Fitz Martin,  
Olyver Lynche,  
Walter Lynch,  
Thomas Bodikin.—10 (*sic*).

## " Statutes :

" 1.—Item : Whatsoever man or woman have any kyne in town shall keape them in ther houssis and clossis, both somer and winter, and if they be found uppon strettes to paye iii.d.

" 2.—Item : That no swyne nor gottes<sup>4</sup> be kept in town above ffourten dayes on payn of killing<sup>3</sup> both swyn and gottes, and the owner to aunswer for all such hinderances as they shuld do.

" Jhamys Lynch Fitz Stevn, Mayor ; Will[i]am Kyrvan and Vallyntin fol. 16. Ffrench, Baylevis, anno 1510 :

## " Masters :

Robucke Lynch,  
Edmond Deane,  
Stevne Lynch Fitz Dominick,  
John Athy,  
Androue Lynche,

John Lynch,  
Olyver Lynche,  
Walter Lynche,  
Thomas Bodikin,  
Stevn Lynch Fitz Jamis —11 (*sic*).

<sup>1</sup> Boat.<sup>2</sup> Once.<sup>3</sup> Week.<sup>4</sup> Goats.

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" Statutes :

" 1.—Item : Whatsoever botteman<sup>1</sup> or maister that receivith m<sup>o</sup>te, drinke and wages for bringe of wode or trovis,<sup>2</sup> and would convey or bringe to his own use anny of the said wod or trovis, to forfeite *iiii.d.*

" 2.—Item : If the porters do suffer or admitte anny man to bring in wode, troffe,<sup>3</sup> or vattill,<sup>4</sup> but onely with the owners thereof, on payne to forfeite *iiii.d.*

" 3.—Item : That every couper shall gyve tow<sup>e</sup> <sup>5</sup> tounne hopis<sup>6</sup> for penye, three pipe hopis for a pennye, thre hoggsedes and barrail<sup>7</sup> hop<sup>8</sup> for a penye.

" 4.—Item : That the shore men<sup>7</sup> or cotteners shall gyve fyve baunk six seven baunlac of frise for tow<sup>e</sup> pence, eight baunlac nyne baunk ten baunlac for thre pence.

" 5.—Item : That the said cotteners shall shore<sup>8</sup> a dosen for eight p<sup>e</sup>ce of brod cloth, and a shore<sup>9</sup> mantill for tenpence, on payn to forfeite *xii.d.*

fol. [17].

" Jhamys Lynch Fitz Geffere, Mayor ; and Steivn French and Nicholas Fitz Arture Lynch, Baylyvis, in anno 1511 :

" Masters :

Robucke Lynch,  
Jamys Lynch Fitz Stevn,  
Androue Lynch,  
Jamys Lynch Fitz Martin,  
Stevn Lynch Fitz Dominick,

Walter Lynch,  
Thomas Bodikin,  
Stevn Lynch Fitz Jamis,  
John Athy.—10 (*sic*).

Statutes :

" 1.—Item : That no butter be sold above a peny apound, and no deare on payne to lesse *xii.d.* And his body to be put in prison that doth the contrarye.

" 2.—Item : That all kinde of corne or grayne that comith oute of the same contry to be sold in the market place shall be sold and ratified according the plentines of the yere, and the buyer to pay the clerkes fees and the seller the measure.

" 3.—Item : Whatsoever man of the town is callid or warnid to queste or sisse<sup>10</sup> and aunswerith not to the same, to forfeite *xii.d.*

" 4.—Item : That no aliaunt nor strangers shalbe loghgers ne in tow<sup>n</sup> nor land, nor nothings of ther goodes be brought a land but to make sellers of ther shipis untill such tyme they be boughte by the tow<sup>n</sup> on payn to forfeit all ther goodes so brought a land. And that to be devid[ed] as aforesaid.

fol. [18].

" Jhamys Lynch Fitz Martyn, Mayor, Wyl[i]am Athy and Laurence Bodikin, Baylives, anno 1512 :

" Masters :

Robuck Lynch,  
Jamys Fitz Stevn,  
Androue Lynch Fitz Stevn,  
Thomas Bodiken,

Stevn Lynch Fitz Dominick,  
Stevn Lynch Fitz Jamys,  
Jamys Lynch Fitz Geffre,  
Walter Lynche.—9 (*sic*).

<sup>1</sup> Boatman.

<sup>2, 3</sup> Turf.

<sup>4</sup> Wattle.

<sup>5</sup> Two.

<sup>6</sup> Hoop.

<sup>7</sup> Shearmen.

<sup>8, 9</sup> Shear.

<sup>10</sup> Assize.

## "Statutes :

"1.—Item : That no corne be burnid nor skorchid within any housse or within this town, for escheuinge the danger of the flyre, on payne to losse vi.s. viii.d.

"2.—Item : That all ydell men and women, whether they be householders or not, that is not able to paie wa[t]ch tax, ne talladge, to be expulshid oute of the town by the officers, on payn to lesse vi.s. viii.d.

"3.—Item : That the fishers of the logh bringe to the market thre dais in the wicke, and to give an hundrid elles <sup>1</sup> for towe pence.

"Walter Lynch Fitz Thomas, Mayor ; Jonock Kyrvan and Jamys fol. [19]. Skeret, Baylyvs, anno 1513 :

## "Masters :

Robuck Lynch,	Thomas Bodikin,
Jamys Lynch Fitz Stevne,	Stevn Lynch Fitz Dominick,
Androue Lynch,	Steven Linch Fitz Jamys,
Jamys Lynch Fitz Martin,	Jamys Linch Fitz Geffre.—9 ( <i>sic</i> ).

## Statutes :

"1. Item : That no honie be brought to town but it be good and merchantable, by overseinge of such as shalbe electid and chossen by the Maior and Counsaill for the time beinge yerlie.

"2.—Item : That the Mayor for the tyme beinge shall chosse every yere towe Constables in every quarter of the town to ayd and assiste him to put the said statuts in execucion from tyme to tyme.

"3.—Item : It is orderid that every pipe, butt or barayll that ys not in gadge,<sup>2</sup> to losse the same without any grace.

"4.—Item : That no dweller of this towne become suertie for no gent[lemen] of the countrey, ne ramson none of them in such wise the town shuld take any hurte thereby ; and if ther shuld come anny hurte to the town, that then the said surties to answer all such as might come thereby.

"Stevne Lynche Fitz Walter, Mayor ; Robert Lynch Fitz John and fol. [20]. Edmond Athy, Bailyvis, anno 1514 :

## "Maisters :

Robucke Lynche,	Walter Lynch Fitz Thomas,
Jamys Lynch Fitz Stevn,	Stevn Lynch Fitz Jamys,
Androue Lynch Fitz Stevn,	Jamys Lynch Fitz Geffre.—8 ( <i>sic</i> ).
Stevn Lynch Fitz Dominick,	

## "Statutes :

"1.—Item : It is orderid that none of the town shall by no cattail oute of the contry, but onelye of treue men ; and if ther shuld anny hurte come to the town by meanes of that cattail bought other wyse but of treue men, the bier thereof to make amends the hurtes so sustained by him.

"2.—Item : It is orderid that the Maior, Wardian and Bailiefes for the tyme beinge shalbe furst servid of fish and fleshe, both in market and shambles ; and after, every man to be servid, accordinge as they come to b[u]y ther meate. And if any man shuld take from another man his meat, after it fell to him by lotte or calling, he that would so take the meate to lesse the same, and also to fforfaite xii.d.

<sup>1</sup> Eels.<sup>2</sup> Gauge.

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"3.—Item : It is orderid that if anny of this town, free or unfre, shuld go aboard annye shipe wher[e] ther is merchandice to be sold buy the same, or conveie anny Irish man aboard the same, without license of the officers, to forfait such goodes as he or they hath bought and xx.s. and his body to prison.

fol. [21].

Jhamys Lynch Fitz Stevn, Mayor ; John Lynche Fitz Dominick ; John Maris, Bailives, anno 1515 :

" Masters :

Robucke Lynch,  
Androue Linch,  
Jamys Lynch,  
Stevn Fitz Dominick,

Jamys Lynch,  
Stevn Linch Fitz J.,  
Walter Linch,  
Stevn Fitz Walter.—9 (sic).

" Statutes :

"1.—Item : It is orderid that if anny freman of this town be arestid comittid to prisson for any deu<sup>1</sup> debte or accion by him so ow<sup>1</sup>, he to fynd sufficient surties to be recordid in the Regester-Booke, save the officers harmles. And also to keape the acostomid libertie the said courte-housse. To . . . the moste to the crosse (sic). And for or passage the said liberties, the said surtie to remayne under clocke, and ther to remayne untill such tyme he laie the dettor theras found him or elles to satisfie and contente the creditors of his debetes.

"2.—Item : It is orderid that whatsoever person shuld go oute of gaites and liberties or fraunchies of the same town to buy hides or make bargayn for the same, he that will so do to forfayte the same so bought by him and also the goodes.

"3.—Item : It is orderid that the Maister of the Spittill-housse keepers of the Abbaies east and weste shall not take to ther custody keapinge no hides nor lyncloth but from ev[e]nsonge tyme forth unto the next morninge ; and to delyver the same hides and lyncloth to the owners to be brought in to the markete. Otherwise, if they shal so detayn and keape the said wares, to forfait and paye for every tyme they committinge the same faulte, vii.s. viii.d.

fol. [22].

"Stevne Lynch Fitz Jamys, Mayor ; John Fitz Androue and Thome Kyrvan, Baylyvis, anno 1516 :

" Masters :

Robuck Lynch,  
Androue Lynch,  
Jamys Lynch Fitz Martin,  
Stevne Fitz Dominick,

Jamys Lynch,  
Walter Lynche,  
Stevn Lynch Fitz J.,  
Stevn Fitz Walter.—9 (sic).

Statutes :

"1.—Item : That every of the statte of this town, when they are warrid to come to the courte-housse, shall sit every man according his degree and callinge, and also shall were and use ther gouns every pryncipall courte daye in the same courte-housse, on payn to lesse for every tyme both faultes iiij.d.

"2.—Item : That no lazer<sup>2</sup> nor infecte paupers or poore shall come or enter within the town to aske ther allmys, but ther clerke or headmaster for the tyme beinge with ther bell, on payn ther clerke or governor to forfayt xii.d.

"3.—Item : That no man of this town shall not lende galley, botte, or barque, long, small, or great, to no Irishe man, nor yet sell none

<sup>1</sup> Due.

<sup>2</sup> Leper.

them, nor no furnitors or necessary to them appertayninge, as pich, canvas, rossen, ropis, bordes, yerne,<sup>1</sup> or yeirne,<sup>2</sup> or any thinge elles to them belonginge, withoute license of the Mayor and Counsaill for the tyme beinge, on payne to losse and forfayt the said galley, botte, barque, and stuffe, and also an hundred shillinges. And further, if ther shuld chaunce or fortune anny lostes or hinderaunce to come to this towne or eny the enhabitaunce of the same, through the lendingge or sellinge of anny the said vessells, he that so lendith or sellith the same, his body to remayn in prisson untill such tyme he makith amendes of all such hurtes.

"Stevne Fitz Dominick, Mayor; Gabriell Lynche and Martyn Fitz fol. [23].  
Jehn Lynche, Baylyvis, anno 1517 :

"Masters :

Robucke Lynche,	Walter Lynch,
Androue Lynch,	Stevn Fitz Jamys,
Jamys Lynch,	Stevn Fitz Walter.—8 ( <i>sic</i> ).
Jamys Lynch Fitz Martin,	

"Statutes :

"1.—Item : That none of this towne shall gyve ne sell pertly<sup>3</sup> nor openlye to no Irishe, nor none suspectid persons in waye of rebellion, anny invincion, as hand-gounis, callivers, poulder, leade, nor sall-petter, nor yet longe-bouis, crosboues, crosboue stringes, nor yearn<sup>4</sup> to make the same, nor no kynde of weapon elles, on payn to forfeite the same municion and also an hundred shillinges. Likewysse if anny hurte or lostes come to the town through sellinge of the same, he that so sellith it his body to remayn in prisson untill such tyme he makith amendes of such hurtes.

"2.—Item : That every shippe that comith afishinge within the havin of Galwey shall paye half tethes<sup>5</sup> to the Colladge<sup>6</sup> of all suche fishe as they shall take within the said havin, yf they take fyre, watter, and service within the said town or havin. Also that every tope man paye x.s. and every small man xx.s. and iiij.li. of gown-poulder to the town and Corporacion.

"3. Item : It ys orderid for evill dispozed persons, after the election of the Maior a Michalmas daye, that all the stattes and worship[f]ull shall ffolowe the Mayor to his doore and that no man shall enter in, but such as are bidden, on payn [of] vi.s. viii.d.

"John Bodikin, Mayor; Dominick Dean, and Martin Lynch Fitz fol. [24].  
Jamys, Baiyves, anno 1518 :

"Masters :

Jamys Lynch Fitz Stevn,	Stevn Fitz Dominick,
Androue Lynch,	Jamys Fitz Geffre,
Jamys Lynch Fitz Marten,	Stevn Fitz Jamys,
Walter Lynch,	Stevn Fitz Walter.—9 ( <i>sic</i> ).

"Statutes :

"1.—Item : It is statutid that whatsoever man or woman of this town saye that he will have the town pledge to be made by anny Irish man,

<sup>1</sup>,<sup>4</sup> Yarn    <sup>2</sup> Iron.    <sup>3</sup> Privately.    <sup>5</sup> Tithes.    <sup>6</sup> Of St. Nicholas.

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for every tyme so sainge, to forfait xii.d., and if anny man shuld bring anny Irish man to brage or boste uppon the town, to forfait xii.d.

"2.—Item: That no man of this town shall [h]oste or receve into the houssis at Christemas, Easter, nor no feaste elles, enny of the Burges, MacWillams, the Kellies, nor no cepte elles, withoute license of the Mayor and Counsaill for the tyme beinge, on payn to forfait v.li.

"3.—Item: That no fre man shall departe or leve the town withoute license of the Mayor for the tyme beinge, on payne to paye for every tyme makinge defaute xx.s.

fol. [25].

"Wyll[i]am Martin, Mayor; Bartholome Faunt and Richard Martin Baylyvis, in anno 1519:

"Masters:

Androue Lynche,  
Jamys Lynch Fitz Martin,  
Walter Lynch,  
Stevn Fitz Dominick,

Jamys Lynch Fitz Geffre,  
Stevn Fitz Jamys,  
Stevn Fitz Walter,  
John Bodikin.—9 (*sic*).

Statutes:

"1.—Item: It is ordered that if anny man, fre or unfre, be founde by nighte tyme in anny mans housse to have coupillacion or to do with the good mans servante mayd or doughter by waye of advourtery to lesse xx.s.

"And also to the good man in whos housse the same person is founde with the said facte or cryme, to lesse so to that good man, xx.s.

"2.—Item: If anny man, of what degre soever he be of, shall have to do by copullacion or dede with anny freman or merchandes doughter, conceving or begettinge hir with childe, shall furthewith marye hir, or elles to gyve hir such goodes as shallbe lawfull towards hir preferment untill another maie.

"3.—Item: That no Irish judge nor lawior shall plede in no mans cause or matter within this our Court, for it agreith not with the Kinges lawes, ne yet the Emprors in many placis.

fol. 26.

"Martin Faunt, Mayor; Richarde Blake and Olyver Ffrench, Baylyvis in anno 1520:

"Masters:

Androue Lynche,  
Jamys Lynche,  
Walter Lynch,  
Stevn Fitz Dominicke,  
Jamys Lynch Fitz G.,

Stevn Lynch Fitz J.,  
Stevne Lynch Fitz Walter,  
John Bodikin,  
William Martin.—10 (*sic*).

Statutes:

"1.—Item: Whatsoever man or woman, being unfre, keape anny cow-hides, salt, fresh or drye, within ther houssis or custodie farther or longer then towe nightes, the said hides withoute anny grace to be forfaytide, and also the good man or woman that keepith the same to forfait vi.s. viii.d.

"2.—Item: It is orderid that no preste, moncke, ne shanon (*canon*), nor frer, shall have no whore ne leman in anye mans housse within this town, and that man which keapith or hostith the said whore or lymon to forfait to the officers so beinge xx.s.

"3.—Item: It ys orderid that the wayes of runninge watters and streams within the wallis of this town shalbe keapte cleane, not (*sic*) make



gotters or pryvies theruppon, which were not acostomide in old tyme as good auncient men did approve by ther booke-othre, nor non to be made without license of the Mayor and Counsaill.

"Anthony Lynch, Mayor; Artor Lynch and Wyllick Lynch, Bailys, fol. 27. in anno 1521 :

"Masters :

Androue Lynch,  
Jamys Lynch,  
Walter Lynch,  
Stevn Lynch,  
Jamys Lynch,

Stevn Lynch Fitz G[effere],  
Stevn Lynch Fitz W[alter],  
Jamis Lynch,  
John Bodikin,  
Will[i]am Martin.—11 (*sic*).<sup>1</sup>

Statutes :

"1.—Item : It ys orderid and established, and confirmid for ever, that no man shall buld, make or repayre anny straue or tache (thatched) housse, for fear of fyre and burninge, no nigher the town walles then fourteenth fottes, unlesse they be covered with sklattes (slates) and that to be the heades of the strettes, as to saye, the both sides of the great gate, and both sides of the neue toure, and both sides of the litill gattes, excepte both the great stone housses, as Marten and John Lynch [h]is houssis, and also John Cayre [h]ys housse to be exceptid, if he cover the same with sklatts.

"2.—Item : It is orderid that the Mayor for the tyme beinge shall choise and electe towe men every yere for orderinge of such variaunce as shalbe betwixt the merchautes of the town and others for merchandize in contryversie betwixt them, as in takinge and recevinge of cove hides.

"3.—Item : Yt is ordered, for feare and dreade of the pestilence and common diseases, that no man shall go aborde anny shipe or barque withoute license of the Mayor and officers for the tyme beinge, untill further experience be knouin, to bring anny warres or invys, on payne to forfayt iiij.s.

"Stevne Lynch Fitz Dominick, Mayor; John French and John fol. [28]. Ffallon, Bailvis, in anno 1522 :

"Masters :

Jamys Lynch Fitz Martin,  
Walter Lynch,  
Jamys Lynch Fitz G.,  
Stevn Lynch Fitz J.,  
Stevne Lynch Fitz W.,

John Bodikin,  
Will[i]am Martin,  
Martin Faunte,  
Antony Lynch.—10.

Statutes :

"1.—Item : It is ordered, statutid and established for ever, that what soever person or persons of this towne, of what degre he or they be of, doth bracke or disobey the Mayor or officers [h]is arestment, to forfayte and losse towe hundrid shillinges, to saye, the one half to the Mayor and officers, and the other half to the comon workes. And his bodie to be put in the lowest prisson, ther to remayne eight and forty hours.

<sup>1</sup> In connexion with the subsequent lists of "Masters," it has not been considered necessary to add indications that the numbers appended to the names are printed as they stand in the MS. The Mayor for the year appears to have been usually included in the computation of the total number of "Masters." See p. 416.

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"2.—Item: That no man of this town shall syll no lend to no outlandish man no kynde of armor, as shorte<sup>1</sup> of maylle, ne skoll,<sup>2</sup> nor no other complimmente armor ne harnies, on payn of xx.s.

"3.—Item: That it ys orderid that no merchaunte of this towne not gyve no coumpilmente<sup>3</sup> to no man havinge not his fredome, except it be maryners; and the said maryners not to retaylle no merchandise. Also, that no man shalbe made fre unlesse he can specke the Englishe tonge and shave his upper lipe wicklye,<sup>4</sup> on payn to lose xx.s.

fol. 29.

"Stevne Lynch Fitz Jhamys, Mayor; Thomas Kyrvan and Peter Lynch, Baylyvs, anno 1523:

"Masters:

Stevn Lynch Fitz D.,  
Jahmis Lynch Fitz M.,  
Walter Lynch Fitz T.,  
Jamys Lynch Fitz G.,  
Stevn Lynch Fitz W.,

John Bodikin,  
Will[i]am Martin,  
Marten Ffaunte,  
Antony Lynch.—10.

Statutes:

"1.—Item: It ys orderid, ennactid and established, that every Mayor in the tyme beinge shall have accompte and reckninge of the custome of the Mayor and Baillyves of the yerres paste, and that within foure weekes next after Sainct Michell, the Archangill. And the next daye followinge the takeinge of the said accompte, the said Mayor shall take accompte of the Church Proctors, and as well of the Proctors of the Greyfrires yerlye, on payn to losse ther wages. Further, the Mayor in the tyme beinge and the Mayor choiesen for the next yere, with such other Counsaill as they shall appoyne, shall four or fyve dayes before Michalmas yerly take and receive the accompte of the subsyde of the receivers thereof.

"2.—Item: It is ordered that no town dweller shall meddell or interrupte nor occupie no mans occupacion or sience, on payn to forfeiteing of xii.d., but only his own sience, and also to forsake and losse all such parcell of worke that is found within his house contrary to his own occupacion, excepte foure coupells in every quartre appoyntid for common vittlers and hostlers by the officers for the tyme beinge.—xiiid.

fol. 30.

"Adame Faunt, Mayor; Richarde Faunte and Ambrose Lynch Fitz Jhamys, Baillyvs, anno 1524:

"Masters:

Stevn Lynch Fitz J.,  
Walter Lynch Fitz T.,  
Stevne Lynch Fitz D.,  
Jahmis Lynch Fitz G.,  
Stevn Lynch Fitz W.,

John Bodykin,  
Will[i]am Martin,  
Marten Ffaunte,  
Antony Lynch.—10.

Statutes:

"1.—Item: It is orderid and established for the comonnwelth of this town that whatsoever mane of the same buy or bargayn anny goodes or merchandiz of any strange shipe merchant or maryners withoute lycense of the Mayor and officers, he or they that so doth to forfayte towne hundrid shillinges, with as much wares as he had boughte, notwithstandinge he or they to satisfie and content the stranger or merchant.

<sup>1</sup> Shirt.

<sup>2</sup> Kind of helmet.

<sup>3</sup> Partnership.

<sup>4</sup> Weekly.

acordinge his bargayn or promisse for the same wares. And further, it is orderid that if any man engrosse or profer more to anny man or stranger for his wares then the Mayor and Counsaill did offer or profer to him for the utilitie of this towne, he or they that so would do, they to paye withoute any grace or remedy one hundrid shillinges, to be devidid into thre parties, the one parte to the Mayor and officers, the second part to the common workes, and the thirde parte to the repayra-cion of the church.

"2.—Item : It ys ordered and established that whatsoever man of this town doth conducte or leade any shipe or shippis oute of this porte or havin, commyng ther uppon thir own head and venture, pertayning to no man of the same perticullarly, withoute license of the officers, into any other porte or cricke, to forfait and paye, without any grace, forty poundes, and also what pilote or lodeman of the same town doth conducte or leade the same, he himself to forfayt in like manner forty shillinges withoute any remedye.

"Will[i]am Martin, Mayor ; Walter Linch Fitz John and Henrye fol. 31.  
Jose, Baillyvs, in anno 1525 :

"Masters :

Stevn Lynch Fitz J.,	John Bodikin,
Stevne Lynch Fitz D.,	Marten Faunt,
Jamys Linch Fitz G.,	Antony Lynch,
Stevne Lynch Fitz W.,	Adame Faunte.—9.

"Statutes :

"1.—Item : It ys orderied for the commonwelth of this town that if any man of the same do lade or freight anny Irish galley, barque or botte, to this town, wherby the town shuld sustayn any hinderaunce or losses by the same galley, botte, or barque, comynge, goinge, or duringe ther remayninge here, or within towe days after ther departinge oute of this porte or havin, he or they that so bringith or frightith them to make restorraunce and amendes (*sic.*) so done during that viadage by them, withoute remedy or grace.

"2.—Item : It is ordered, by the wholle assent of the Counsaill, that whatsoever person or persons speackith anny yngerous and sclanderous worde or checke to the Mayor, to forfait an hundrid shillinges, and his body to be put in prisson. Likewise, if any man shulde saye any sclanderous worde to the Baylevis, to forfait fiftye shillinges. Also, if anny man shuld misuse or slander by wordes anny of thos that hath bene Mayors, to forfait to them xxvi.s. viii.d. And if any man shuld sclander or cheke these that hath bene Bailievs, to forfite to them xiii.s. iiiii.d. And if anny bachler shuld sclander an other bachler, to forfayte to him vi.s. viii.d. And if unmarried and yonge men shuld sclander one another, to forfayte and paye iii.s. iiiii.d.

"Stevne Lynch Fitz Jhamys, Mayor ; Marcus French and Thomas fol. 32.  
Blake, Baylyvis, in anno 1526 :

"Masters :

Stevn [Lynch] Fitz D.,	Will[i]am Marten,
Jamys Lynch Fitz G.,	Marten Ffaunte,
Stevne Fitz W.,	Anthony Lynch.—8.
John Bodiken,	

Statutes :

1.—"Item : It is ordered and established that no carpender nor masson shall not have for his hyre and wages but ii.d naturallie every daye, with meate and drincke. And that no carpender nor masson shall have no

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workeman but that which shall be lawful workeman in that sience. And if he be no good workeman, they to have accordinge as the master that occupation shall adward for the tyme being. And also that no mason nor carpender shall have no meate on hollye dayes on thos [for] he workith, onlesse he be hired for a certayn seasson, as quarter, quarter, or suche like; he or they that would not be obedient to acte and statut, soe forfayt ii.s.

"2.—Item: It is ordered and statutid that every man or woman makith aquavitie, honied alle<sup>1</sup> [or] singill alle to be ratified and paye the accostomid ratte<sup>2</sup> to the silver boxe.

"3.—Item: It is ordered by the assente of the wholle Counsaill if anny man or woman make deffaute within the same town and wyl abyde the judgmente and order of the Mayor and Counsaill, he convey him oute of the town under any Irishman [h]is salfe gawinges, wherby he might procure the lostes and hinderance of the to be done by his advice and procurement; and if so be that he maye founde ever after in this towne, to be staied untill such tyme he amendes for the same lostes, and also to fynd sufficient surties ne departe nor do the like faulte or cryme for ever after.

fol. 33.

"Wyll[i]ame Maries, Mayor; Richard Bodikin and Thomas L. Fitz Stevn, Baillyvis, anno 1527:

"Masters:

Stevn Lynch Fitz D.,  
Stevne Fitz J. Lynch,  
Jamys Lynch Fitz G.,  
Stevn Lynch Fitz W.,

John Bodiken,  
Will[i]am Marten,  
Marten Ffaunt,  
Antony Lynch.—9.

Statutes:

"1.—Item: Yt ys ordered, enactid and statutid that what so ever is found, of what degre or condicion so ever he be of, plainge at cleve or stonis but onely to shute in longe bowes, shorte crosbowes andlinge of dartes or speres, to lesse at every tyme so founde in doct. same viii.d., and also at no tyme to use ne occupye the horlinge of the balles with hockie stickes or staves, nor use no hande ball to playe oute the walles, but onely the great foote balles, on payn of the above lymittid.

"2.—Item: It ys ordered and established that from henchforth shall be no more spent at the denner at the daye the acompte custome ys mad and recevid but vi.s. viii.d. and that there good with the Mayor to that denner but the xii. Aldermen and such as be assistinge the Mayor with such other honneste men of his sayllers as hath bene officers.

"3.—Item: It is orderid and established for the common welthe of the town that no person shall not seue<sup>4</sup> ne looke nor yet aske anny of the common landes of this town within ne wythoute, nor yet the Comen or commens maye not gyve ne graunte the same to no man, unlesse be for a yerly rent, stipend, or profite for the comon welth and w of the same town.

fol. [34].

"John Lynch Fitz Androw, Mayor; Richard Kirvane and John Kyne Lynch, Baylyvis, anno 1528:

<sup>1</sup> Ale.

<sup>2</sup> Rate.

<sup>3</sup> Quoits.

<sup>4</sup> Sue.

## “Masters :

Stevne Lynch Fitz. D.,	Will[i]am Martin,
Stevn Lynch Fitz. J.,	Marten Ffaunte,
Jamys Lynch Fitz. G.,	Antony Lynch,
Stevn Lynch Fitz. W.,	Will[i]am Mares.—10.
John Bodiken,	

## Statutes :

“1.—Item: It ys orderied and ennaetid that what soever person or persons of this towne buy anny tethes<sup>1</sup> beinge in contrivervsie and varyaunce, wherby anny man of this town shuld take lostes or hinderaunce therby, he or they that bieth the same tethes shall save, dischargd and keape harmles that person so beinge hurte or hinderid by meanes of that tethes so bought by him ; and also shall paye and contente both parties for the said tethes, in escheuinge the truble or hurtes that might enseue to this town or enhabitauntes thereof for the byinge of the same teithes and especiallie the tethes<sup>2</sup> of Knockmoye.<sup>3</sup>

“2.—Item: It is orderied and enactid that no boucher of this town shall not sell no hide to no stranger but onely to ffre men of the same. And that the Bailiefe shall not priese<sup>4</sup> no flesh in the shamblis as beffe, unlesse he can get a tikeet or bill of the merchannes hand with the boucher to whom he had sold the same, on payne to forfaite hide or beffe.

“3.—Item: It ys ordered that in what housse, shope or seller<sup>5</sup> ther be founde players at cardes, dyce, tabulles, nor no other unlawfull gamys for monye, by younge men and specialle by prentisys nor Irishe men, on payn to lose that some or quaauntit of such monye as they playe for. And also the housse, seller, or shope wherin they playe to paye, excepte it be for meate and drink, and the same to be done by honeste men for recreacion,—xx.s.

[1530.]—The iiiith daye of Maye the raigne of King Henry the Eight fol. [346]. xxii, and of our Lord God m<sup>o</sup> d<sup>o</sup> xxx<sup>o</sup>, Will[i]am Marten of Galwey, merchant, came and aperid in the Courte housse of this town, the daye and yere above written, and then dessired of the Courte and Comens Thomas Marten [h]is saut,<sup>6</sup> the which saut was jugid uppon the town by Pers Lynch for the town [h]ys parte and by McKigan<sup>7</sup> for the country [h]is parte, in so much that it was condessendid by the said Courte and Comens to relax to the said Will[i]am Marten, as heyre to Thomas, of the rent that he owith of the tennement to the Comens yerlye iii.s. iiiii.d., as mor playner it apperith in a payr of indenturs betwixt the said Will[i]am and Comens, the which relaxion was gyvin to Will[i]am in recompenc of the slaght<sup>8</sup> and saut of Thomas Marten, and the said Will[i]am and his heyres by thes presentes make the said town and Commens quite and clere for ever as touchinge the said slaght and saut. Writtin at Galwy, the daye and yer abovsайд, by Matheue Lurcan.

“Richarde Lynch, Mayor; Edmonde Lynch and Frances Blake, fol. 35. Bailevis, anno 1529 :

## “Masters :

Stevne Lynch Fitz. D.,	Will[i]am Marten
Stevne Lynche Fitz. J.,	Marten Ffaunte,
Jamys Lynch Fitz. G.,	Antonye Lynch,
Stevne Lynch Fitz. W.,	Will[i]am Mares.—10.
John Bodikin,	

<sup>1</sup> Tithes.<sup>2</sup> In county of Galway.<sup>4</sup> Appraise.<sup>3</sup> Cellar.<sup>6</sup> Ransom for murder or manslaughter.<sup>7</sup> Mac Egau, of the family of Brehons, or Irish jurists, of that name. <sup>8</sup> Slaughter.

ARCHIVES OF  
TOWN OF  
GALWAY.

## Statutes:

"1.—Item: It ys statutid that no stayres be made uppon the comon strettes, on payne to brecke and ouer throwe them doune.

"2.—Item: That no dwellers of this town, beinge not fire in the shille, shall not sell no frische mantills, lyncloth nor hides to no alyane stranger, on payn to lesse and forffaye the same warres without grace.

"3.—Item: That no man, woman, nechild shall not enter or goe into anny mans bottes, except ther own, to buy or engrosse the fishe. suffer them to bringe the same to the comon shamblis ther to be sold on payne of two shillings.

"4.—Item: It is orderid and statutid by the assente of the whole Courte, that what so ever man of the contry will or shall spoyll, rob, wounde eny enhabitaunc of this town ether by lande or water, nor have no reschue nor pryviledge in no mans housse within this town in such a fault so committid, unlesse it be only for deue debte.

fol. 36.

"Jhonock Kirvane, Mayor; Marcus Lynch and Stevne Lynch Baylevis, anno 1530:

## "Masters:

Stevne Fitz Dominick,  
Stevn Lynch Fitz J.,  
Jamys Lynch Fitz G.,  
Stevn Lynch Fitz W.,  
John Bodiken,

Will[i]am Marten,  
Marten Ffaunt,  
Antonye Lynch,  
Will[i]am Mares,  
Richard Lynch.—10.

## "Statutes:

"1.—Item: It ys orderid and established that no man, of what degree ever he or they be of, shall not till nor erre<sup>1</sup> none of the comon ground on payn to lesse so much as he or they do till. And also vi. s. vii. d.

"2.—Item: It is statutid with one assent that no haukes be comyn hendid for merchandice of anny contry that is bounde to anny man of the towne, but it is lafull to every man to whom he will without any impedimente or contradiction of him that hath the contrye bounde to.

"3.—Item: It ys orderid that what so ever preste or vicare of the Colladge<sup>2</sup> of the town be founde with enny faulte or creyme, or offence knouin by him, to lesse to the officers one hundrid shillinges, and also to lesse ther benefice. And also if he or they keape anny whore, be with child or bearinge children, to paye the above penaltie.

fol. 37.

"Jhamis Skeret, Mayor; Walter Skeret and John Lynch Fitz J. Baylevis, in anno 1531:

## "Masters:

Stevn Lynche Fitz J.,  
Stevn Lynch Fitz W.,  
John Bodiken,  
Will[i]am Marten,  
Marten Faunte,

Richard Lynch,  
Will[i]am Mares,  
Antonye Lynch,  
Jhonocke Kyrvane.—10.

## Statutes:

"1.—Item: It is ordered, enactid and established, that whatsoever preste or vicare of the Colladge<sup>3</sup> shuld enter or come into anny mans housse uppon

<sup>1</sup> Plough.<sup>2</sup>, <sup>3</sup> Of St. Nicholas.

his own head to take a pledge for his mortuarye,<sup>1</sup> befor the corpus or corce be berried, or meadiatly after his buringe, but if the said preste or vicary can not get the same mortuary by fayr means, then he maye complayne to the officers for the tyme beinge: otherwise, the said preste or vicare that so doth to forfayte and paye xx.s., the Mayor and officers being alway bounde to put the same in execution.

"2.—Item: It ys ordered, enactid and established for ever more that what so ever payne, fforfaites, and penolties doth chaunce to ffaller or growe yerlye on thes that breacke or alter the common lawes, statutes and ordinances of this towne, as fare as the said actes and statutes doth extende, shalbe devidid into thre equall parties, to saye, one parte to the Mayor and officers for the tyme being for putinge the same forfaytes and penolties in excucion, an other parte to be gyvin to the repayracion of Gods housse, the church; the third parte to be gyvin towards the bulding of the common workes.

"Antonye Lynch, Mayor; Marcus Lynch and Johnock Lynch Fitz fol. 38. Stevne, Bailevis, anno 1532:

"Masters:

Stevne Lynch Fitz J.,	Will[i]am Mares,
Stevn Lynch Fitz W.,	Johnock Kyrvane,
John Bodiken,	Jhamis Skeret,
Will[i]am Marten,	Richard Lynch.—9.

"Statutes.

"1.—Item: It ys ordered and enacted that no man of this town shall departe or leave the town after the gattes beinge closid or shutte to make or take any mans pledge or paune for his owne accion or debte or for any other, if he be a bachler that so doth to paye xx.s. if he be man that hath bene in office to paye xl.s., if it be a yonge man that so doth for every tyme makinge deffaute to paye and forfayt x.s. withoute license of the officers for tyme beinge.

"2.—Item: It is ordered and statutid, with one assente, that no man of this town, of what degre so ever he be of, shall have no more liberties, privileges to buy and sell in no country porte nor havin, ne yet cricke,<sup>2</sup> to keape oute his neighboure from bynge and selling ther, but that every man maye have his course, trade and ocup[y]inge in all places throughout this provence withoute truble or contradiction of any other of the same, on payn to forfayte for so doinge v. li.

"3.—Item: Yt ys ordered and statutid, for the tranquillite and peace of the enhabitaunce of this town, that whatsoever man or woman shall make any comperacion betwixt lynadge and inadge, or soue<sup>3</sup> any varyaunce or discord betwixt them, or yet stire or mocion any discord chaunched heretofor whereby any unquietnes or striffe shuld happen he or they that so shuld do to paye and forfayte an hundrid shillinges for every tyme making deffaute.

"Richarde Blake, Mayor; Antony Blake and Thomas Marten, fol. [39]. Baylyvis, in anno 1533:

"Masters:

Stevn Lynch Fitz. J.,	Will[i]am Maries,
Stevne Lynch Fitz. W.,	Richard Lynch,
John Bodiken,	Johnock Kyrvane,
Will[i]am Marten,	Jhamys Skeret.—10.
Antony Lynch,	

<sup>1</sup> Customary offerings on deaths.

<sup>2</sup> Creek.

<sup>3</sup> Sow.

ARCHIVES OF  
TOWN OF  
GALWAY.

“ Statutes :

“ 1.—Item : It ys orderid and statutid that whatsoever person persons of this town, of what soever degre he or they be of, doth beg any striffe, debate, or quarell with any other within this town, to fayte and paye ane hundrid shillings ; and if he or they shuld doute sword, dagger, or kniffe, the same weapon to be nayllid and put up in the pillorye ; and also to make amendes for all such hurt damages, and losses as he shulde committe or do with the said weapon.

“ 2.—Item : Yt ys statutid and ordered, with one assente, that any that boughte his ffredome in this town, that by no wysse nor mean heire or sonns not to be ffre nor have the priviledges thereof, unless be grauntid to him and his keyres in ther indenture to be ffre for hereafter.

“ 3.—Item : It ys statutid and ordered that if anny gent[leman] of this country shuld salte or occupie any hides in his own town or castell engroste, that he or they of this town that shuld buy or bargayne the same hides pertly<sup>1</sup> or oppenlye, to forfait and paye for every so makinge deffaute—xx. li.

fol. 40.

“ Thomas Kyrvane, Mayor ; Christophor Lynch Fitz Stevne : Will[i]am Lynche, Bailevis, anno 1534 :

“ Masters :

Stevn Lynch Fitz. J.,  
John Bodiken,  
Will[i]am Marten,  
Antony Lynch,

Richard Lynch,  
Jamys Skeret,  
Richard Blake.—8.

“ Statutes :

“ 1.—Item : It ys orderid and statutid, with one assente, that whatsoever merchaunte man of this town bringith anny mans goodes of the same oute of strange landes, that he shall delyver his bill of accompt and reck[n]inge as soon as he comith to that merchaunt to whom he brought the same goodes, on payne to forfayte and losse his attorney and for his shipe.

“ 2.<sup>2</sup>—Item : Yt ys statutid, ordered and established, with one assente, that if any person or persons of this town doth apprehend and take any man or woman withoute the gattes for deue debte and keapith the said debtor within his own housse and custodie it shalbe lauffull for him to keape the same dettor until such tyme [as] he be contentid and paid of the same debtes and after to englarge the same dettor, notwithstanding that he owith dettes to others, except he owith dettes to the same. Further, if the Kinges Bayleffe be present at the takinge of the same dettor, then he must be put in the Kinges gaylle or prisson, there to remayne to such tyme he make payment to all his creditors ; and if there shuld any hurtes or hendrance come to the town through the takinge of the said person, he or they by whom he was takin to make amendes and answer for the same losses.

fol. 41.

“ Rycharde Martene, Maior ; Dominick Lynche and Gorge Skeret : Baylyevis, in anno 1536 :

“ Masters :

John Bodiken,  
Stevn Fitz J. Lynche,  
Will[i]am Marten,  
Antony Lynch,

Richard Lynch,  
Jamys Skeret,  
Richard Blake,  
Thomas Kyrvan.—9.

<sup>1</sup> Privately.

<sup>2</sup> Numbered 3 in MS.



## "Statutes :

"1.—Item : [it] is ordered and statutid for the comon welth of this town that what soever woman, of what degre she be, bearinge child shall not make common banckes<sup>1</sup> and great expence as in tyme paste, but shall keap hir acostomid beade duringe hir pleasure withoute anny resorte of comon housse haunTERS save onely hir frendes such as she liste on payn to forfayte xx. s. And also whatsoever man or woman goeth in to anny such housse asking or seking for meat and drincke unpried or bidden, to paye and forfayte vi. s. viii. d.

"2.—Item : It ys statutid by one assent any man or woman that ys somined by the Mayor or officers to appere in the Courte housse at a certayn daye or tyme, to answer to such accions layd to his chardge, he or they that will not appere personalye, or ellis [else] his attorney, to answere in the same, to fforfayte and paye vi. s. viii. d.

"3.—Item : It ys ordered and statutid by one assente that no man of the town of Athenrye,<sup>2</sup> alltho he boughte his fredome in thys town, be fre in the same, unlesse he keape house and ffyre, and also to paye all manner costoms, as taxe and talladge, unlesse it be a yonge [man] havinge no housse here nor ther, and the same yonge man bering all chardges as other yong men of this town doth.

"Martine Lynch Fitz J., Maiore; Patryck Lynch and Nicholas fol. 42. Lynch Fitz Dominick, Bayliffes, in anno 1537 :

## "Masters :

Stevn Lynch Fitz, J.,	Jamys Skeret,
John Bodiken,	Richard Blake,
Will[i]am Marten,	Thomas Kyrvan,
Antony Linch,	Richard Marten.—9.

## "Statutes :

"1.—Item : It ys ordered and statutid that the Mayor nor Bailieffes maye not gyve salf conducte nor pardon to no man owinge dettes to any man of the same to pase and repasse withoute license of the Counsaill and especially of thos to whom thos persons owith debtes.

"2.—Item : It is ordered and statutid that no person ne persons of this town shall sende any meat or drinke to no man that kepith sancturarys in the Abbays easte or weste, fearing to come into the town to paye the debtes ; he or they that so sendith them meat or drynke, to forfeit the same, and also xx. s.

"3.—Item : Yt ys orderied, statutid and established that none of this town shall not transporte nor lade into other fforren countries flesh, butter, ne tallowe, nor flockes,<sup>3</sup> on payn of fforfaytinge of the same. And that all yonge men who have no housse nor ffamillie shall not buy butter, flesh, nor tallowe, but suffer onely the householders to buy and use the same, on payn of forfaytinge such as they buy.

"Jhone Frenche, Mayor; Nicholas Blake and Will[i]am Skerete, fol. 43. Baylyvys, in anno 1538 :

## "Masters :

John Bodiken,	Richard Blake,
Will[i]am Marten,	Thomas Kyrrane,
Antonye Lynch,	Richard Marten,
Jhamys Skeret,	Marten Lynch.—9.

<sup>1</sup> Banquets. For somewhat similar regulation at Kilkenny, in 1542, see Second Report of this Commission, 1871, p. 261. <sup>2</sup> In county of Galway. <sup>3</sup> Inferior wool.

ARCHIVES OF  
TOWN OF  
GALWAY.

" Statutes :

" 1.—Item : It ys statutid and established that all taxe[s] and talages for reperacions of the comon workes, that fallith on the firemen of the town, to be equallie devidid uppon all Mayors, Baylyvis, bachlers and yonge men, acording as they and every of them doth receive the proffettes that comith to the town oute of all places as it ys acustomid.

" 2.—Item : It is ordered and statutid, by the wholl assent, that whoso ever shipe is brought to this town by any man of the same particularly or anny shipe that comith here uppon hir own adventure and bought by the comens of the same, untill the said shippis be fully satisfied and payd of ther paymentes that no merchaunde of this town shall sell nor bargayne no hides with no stranger un payne to forfeit and losse all the hides by him or them so sold or bargaynid for.

" 3.—Item : It ys ordered and statutid that no person ne persons shall not forstalle engrosse ne stoep nor lete<sup>1</sup> anny merchandice to come into the markete by no ways, on payne to forfeyte for so doinge, according as it shal be provid, x. li.

" 4.—Item : It ys ordered, edictid, statutid, and established for ever that whatsoever person or persons, merchant or [mer]chauntes, of the town shall or will make anny bargayn or contract in Spayne, Fraunce or anny other landes for wyne, salt, yerne or anny other kynd of wares shall afor he put the said shipe or warres so brought by him or them to this town in booke or costome, fynde to the Mayor and officers of the same sufficient and substantiall surties that he or they shall well and truly contente and pay the stranger of his payment, for the discharge and credid of the town and enhabitaunce thereof.

fol. 44.

" Artur Lynch, Mayor ; Androwe Lynch Fitz S. and James O' Lynche, Baylieffes, in anno 1539, which Androwe Lynch died within one moneth after Michellmasse, whose roome was supplied by Arthur Freinch Fitz Geffrey, anno predicto :

" Masters :

John French,  
John Bodiken,  
Will[i]am Marten,  
Antonye Lynch,

Jamys Skeret,  
Richard Blake,  
Thomas Kyrvan,  
Richard Marten.—9.

" Statutes :

" 1.—Item : It ys ordered, enactid, confirmid, and stablished for ever that no woman might have the election and chosse of the third parte of ther husbandes goodes, or such as they had brought at the tyme of hir marriage, but onely acordinge the Kinges lawis used in the realme of England and Irland, as to saye, the third parte only of hir husbandes goodes at his deceasse.

" 2.—Item : It is ordered, statutid, and established, that any unfreeman of this town that sellith any corne, beare or other victaylls to any Spaynardes, French men, or other fforayne strangers, shall paye the custome for the same, as to saye, for bussell of wheat fyve grottes, and for a botte of bere forty pence ; and the same to be to agment the custome. Fre men to be exceptid of this costum.

fol. 45.

" Domynicke Lynch Fitz J., Mayor ; Ambrose Lynch and George Lynch Fitz Walter, Baylieffes, in anno 1540 :

<sup>1</sup> Hinder.

<sup>2</sup> Wares.

## "Masters:

John Bodiken,  
Will[i]am Marten,  
Antonye Lynch,  
Jhamys Skeret,  
Richard Blake.

Thomas Kyrvan,  
Richard Marten,  
Marten Lynch,  
John French.—10.

## "Statutes:

"1.—Item: It ys ordered and statudid that the Mayor nor officers for the tyme being shall not comaunde nor send none of the enhabitaunce of this town out of the liberties or ffraunchies therof to gyd nor conduct no Irish men to come for to parlle within this town with no man, unless it be for the common welth or other urgente caussis and all ways those that are sent to be at the coste and chardges of that man they bringe with them, whether they go by botte or lande.

"2.—Item: Yt ys ordered, enactid and statudid that no person not persons who was in office or beinge in office or other wysse shall not detain nor keape any thinge of the comon rente for such arerages or debtes that the costome owith to any of them, but shall dulye paye the same comon rente without any truble or contradiccion, and they to stand to the costome of their own goodes so ladden uppon their own adventurs from tyme to tyme until they be satisfiied and contentid.

"Thomas Lynche Fitz Stephen, Mayor; Peter French Fitz Waden, fol. 46. and Jhamis Kervicke, Bayliefes, anno 1541:

## "Masters:

Dominicke Lynch Fitz J.  
John Bodiken,  
Will[i]am Marten,  
Antonye Lynch,  
Jhamys Skeret,

Richard Blake,  
Thomas Kyrvan.  
Richard Marten,  
Marten Lynch,  
John Frenche.—11.

## "Statutes:

"1.—Item: It is orderid and statudid by the wholle assent that whatsoever kyne or cattayll comith to our gattes easte or weste to be sold beinge a great nowmbre, that no man shall not engrosse nor presume to buy any of the said cattayll untill such tyme as the fre men and Corporacion be fully satisfied of the same cattayll on payn to fforfayte xx.s.

"2.—Item; It ys ordered, edictid and statudid by the Counsaill with one assent that no man of what degre so ever he or they be of shall have no priviledges nor respittes in no religyus housse aboute this town to deffeaite and delaye to come into the town to answer or contente his creditors of such debtes as he or they owinge but xxiiii. houres, and if he or they tary ne longer then that xxiiii. hours, to be taken and arrested; any other contrary statute to this statute notwithstandinge.

"Henry Jose, Maior; Edward French and Patrycke Ffrench, Bay- fol 47. lieffes, in anno 1542:

## "Masters;

Thomas Lynch,  
John Bodiken,  
Antonye Lynch,  
Will[i]am Skeret,  
Richard Blake,  
Thomas Kyrvan,

Richard Marten,  
Marten Lynch,  
John French,  
Dominicke Lynch,  
William Marten.—12.

ARCHIVES OF  
TOWN OF  
GALWAY.

"Statute :

"1. Item ;—It ys ordered, edicted and statutid by the courte with one assente that no person ne persons of this town shall not buy neither sell with no merchauntes of Lymbricke, Corcke, Watterforde, Dublin or other townis or cittyis, for anny hides, feltry, lyncloth, merchandiz or provisions of fishe, fleshe or butter, he or they that so would bargayn or trafique pertyl<sup>1</sup> or oppenly with any such merchauntes aforesaid, nor cause the same to be transported by land or sea, unless they come to this town as other strangers and merchants in ships, he or they of this town that sellith any of that merchandiz aforesaid to forfeite that he or they selleth and also xx.<sup>s</sup>.d. Allso it is ordered if any such strange merchauntes bringith with them merssery warres and packes, the said merchauntes or strangers ys bounde to bringe the same merssery and packes to the costome housse appointid. And if in casse the said merchauntes or strangers should convey or carry anny such wares to pryvat houses shoppis or sellers and not to the costome housse, to forfeit all such packes and warres so conveid by him or them.

fol. 48.

"Jhoniclin Lynch, Maior ; Edmond Kirvane and Edmond Bodiken Baylieffes, in anno 1543 :

"Masters :

Henry Jose,  
John Bodiken,  
Will[i]am Marten,  
Antony Lynch,  
Jhamis Skeret,  
Richard Blake,

Thomas Kyrvan,  
Richard Marten,  
Marten Lynch,  
John French,  
Dominicke Lynch.—11.

"Statutes :

"1.—Item : It [is] orderede, edictid and established, that no artificer nor no man of sienc not ffre in this town shall have no kynde merchandiz in ther houssis shopis or wyndous to be sold to strangers as lyncloth, ffrisse or hides on payn of forfeytinge the same. And also that no unfire men of the same shalbe brokers or forspeackers for any strangers on payn to forfayte xx.<sup>s</sup>.d. and his body to remayn in the lowist prison xxiiii. houres withoute anny grace.

fol. 49.

"Edmond Lynch, Maior ; Will[i]ame Lynch and Thomas Lynch Baylieffes, in anno 1544 :

"Masters :

Jhnockin Lynch,  
Henry Jose,  
John Bodiken,  
Will[i]am Marten,  
Antony Lynch,  
Jhamis Skeret,

Richard Blake,  
Thomas Kyrvan,  
Richard Marten,  
Marten Lynch,  
John French,  
Dominicke Lynch.—13.

"Statutes :

"1.—Item : It ys ordered, edicted and statutid by the Counsaill, with one assente, that no prestes,<sup>2</sup> sergantes, leches,<sup>3</sup> clerkes, town meassengers or Irishe meassengers, porters, norssys,<sup>4</sup> childrin, myllers, backers,<sup>5</sup> sh-

<sup>1</sup> Privately.    <sup>2</sup> Priests.    <sup>3</sup> Physicians.    <sup>4</sup> Nurses.    <sup>5</sup> Bakers.

makers, bouchers,<sup>1</sup> or anny others shall not come to no mans housse at Cristemas, Easter or other feastes, to dessyre any offreinges or deuties during the holy days or within xii. days after any the said feastes. And also the frirs<sup>2</sup> of the relygyus houssis to have ther tethe<sup>3</sup> bread withoute every mans dore. And for as much as Our Lady<sup>4</sup> preste and clercke, seriantes and lecheis must have offeringes in respecte of ther wadges, it ys ordered that the same shalbe gyvin to them in a convenient place ther, as the Mayor and officers shall appoyncte; and if any of thos persons be found goinge to any mans housse to aske thos offeringes to forfayte and paye vi. s. viii. d., and his body to remayn in prison xxiii. hours. And if in casse the Mayor or officers for the tyme beinge shuld gyve leave or lycense to any of thos persons to go aboute, the said officers to forfaite and paye xx. li.

"Steven Lynch Fitz Arture, Mayor; Jhamis Faunt and Walter fol. 51.<sup>5</sup> Skeret, Baylieffes, in anno 1546 :

"Masters :

Thomas Blake,	Thomas Kyrvan,
John Bodiken,	Richard Marten,
Will[i]am Marten,	Marten Lynch,
Antonye Linch,	Dominicke Lynch,
Jhamys Skeret,	Johnnockin Lynch.—12.
Richard Blake,	

"Statutes :

"1.—Item : It ys ordered, edictid, statutid and established by the wholle Courte, with one assente, that the Wardiane and Vicares of the Colladge for the tyme beinge shall not in lease set nor mortissie<sup>6</sup> any manner landes, teithes, or any other of the revenus, whatsoever they be, belonginge or appertayninge to the Corporacion of the Church and Colladge housse no longer nor for no more tyme then for one wholl yere. And if the Wardian or Vicares for tyme beinge would or shuld enlasse or mortissie any of the said teithes or rev[e]nus save for one yere, he or they so doinge to be expulsid and put oute of the said Church and Colladge and also to forfaite to the common pursse of the same xx. li. And further it ys ordered that if anny the enhabitauntes of this town should bargayn with the said Wardayn or Vicars for anny such teithes or revenus, save onely for one yere, he or they that so doth bargayn with them, to losse that some or soomis so bargaind, and also of his own goodes to the common purse of the same xx. li. This statut agreeth wythe Westmy[n]ster the seconde, xli. chapitre, where suche allienacion is prohybited uppon paine of forfeitour, so that the same retourneth to the founders againe.

"Thomas Kyrvane, Maior; Ambros Lynch and Steven Ffaunte, fol. 52. Baylieffes, in anno 1547 :

"Masters :

Stevn Lynch Fitz A.,	Richard Marten,
John Bodiken,	Marten Lynch.
Will[i]am Marten,	Edmond Lynch,
Jhamys Skeret,	Johnnickin Lynch,
Richard Blake,	Thomas Blake.—11.

<sup>1</sup> Butchers.

<sup>2</sup> Friars.

<sup>3</sup> Tithe.

<sup>4</sup> The Blessed Virgin. See regulations at page 386, for the College of St. Nicholas, A.D. 1557.

<sup>5</sup> Fol. 50, and record for 1545, are not in the MS.

<sup>6</sup> Mortgage.

ARCHIVES OF  
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Statutes :

" 1.—Item : It ys ordered, edicted and statutid that all suche rodders, bullis<sup>2</sup> and bevis,<sup>3</sup> or other fleshe that anny the merchauntes or enhabitaunce of this town doth buy for warre<sup>4</sup> or mony, shalbe killid and broughte to the shamils<sup>5</sup> to be praysed<sup>6</sup> and devidid uppon the Comens; and if any the enhabitaunce of this town buy any such flesh or bevis, and under collor or cloke sayth that he sente the same kyn<sup>7</sup> or caith to the country, and so killith the same in their houssis, not bringing the fleash to the market to be praised, but selith the same unware, he or they that so doth to fforfayt the same flesh, unlesse an honest man bieth a beffe for urgent cause, and the same man to shewe the cause to the Mayor and Bailiffes.

fol. 53.

" Domynick Lynch Fitz J., Mayor ; John Jose and Dominick Ffrend Bayliffes, in anno 1548 :

" Masters :

Thomas Kyrvan,  
John Bodiken,  
Jhamis Skeret,  
Richard Marten,  
Marten Lynch,

Edmond Lynch,  
Johnnokin Lynch,  
Thomas Blacke,  
Stevn Lynch Fitz A.—10.

" Statutes :

" 1.—Item : Yt ys ordered, edicted and statutid, for the utilitie and common welth of this town, that if any gent[leman] by easte or west take and aprehend any the townis adverssaries who doth spoyll and robe<sup>8</sup> the Comens of the same of ther provicion and merchandis by land or sea, and sending that naughty person into this town to answer for such faultes and crymis so comittid by him or them to this town, that, immediatlye uppon that mallefactor [h]is cominge, ther shall be a queste<sup>9</sup> passe on him, and if the queste<sup>10</sup> condemne him to death, the Mayor and officers forthwith shall put that person so condemnid to execucion, withoute anny respecte of grace or favore. And if the officers neeglecte to put the same person to execucion, wherby he might make an eskafe, the said officers so neeglectinge ther deutes to pay and forfayt xx. li., and also they to answer all hurtes and damages of the sayd fellow comittid afor his take, and such as he would do after his escape to the enhabitaunce of this town.

fol. 54.

" Thomase Marten, Maiore ; Givane Fannt and Jhamys Ffrench Bailiffes, in anno 1549 :

" Masters :

Dominicke Lynch,  
John Bodiken,  
Jamys Skeret,  
Richard Blake,  
Richard Marten,  
Marten Lynch,

Henry Jose,  
Johnnokin Lynch,  
Edmond Lynch,  
Thomas Blake,  
Stevne Fitz A.—12.

" Statutes :

" 1.—Item : It ys ordered, edictid and statutid by the Counsaill with one assent, for sondrye and dyvers inguries and wronges that the

<sup>1</sup> Horned cattle.

<sup>2</sup> Bulls.

<sup>3</sup> Beeves.

<sup>4</sup> Ware.

<sup>5</sup> Shambls.

<sup>6</sup> Appraised.

<sup>7</sup> Kine.

<sup>8</sup> Rob.

<sup>9</sup>, <sup>10</sup> Jury.

ceptes<sup>1</sup> of Clandouze, Clanm<sup>c</sup>Conchour, Clancaleboy, the Hallorans, Sloughteteggerd, and Flaretis, ther cheffe Captayns doth dayly to the enhabitaunce of this town, that when any of the said ceptes with ther Captains be found in town, or fraunchies of the same, to be taken and arested untill such tyme as he or they so taken make restitution and payment of all suche hurtes and domages as he or anny of his cepte doth to the enhabitaunce of this town from tyme to tyme; and that the Mayor nor officers shall not license nor pardon none of the said ceptes to come or enter within this town withoute licensse of thos to whom they comittid the trespacis or owinge debtes.

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“Rycharde Kirvane, Maior; Denyse Kyrvane and David Bodiken, fol. 55. Bailieffes, in anno 1550 :

“Masters :

John Bodiken,	Richard Blak,
Thomas Martin,	Henry Jose,
Marten Lynch,	Edmond Lynch,
Jlamys Skeret,	Jhonnikin Lynch,
Richard Marten,	Thomas Blake,
Dominicke Lynch,	Stevn Lynch Fitz A.—13.

“Statute :

“1.—Item, It ys ordered and statutid for a perpetuall statute, that the Mayor for the tyme beinge shall have of the fishers of the Logh or ryver every fishye daye betwixte Michalmas and Hallontid but tow hundred smalle eilles,<sup>2</sup> and every of the Bailieffes to have one hundred; and from Hallontide fourth it is ordered that the Mayor, for the furnishinge of his tabull with fresh fishe, shall have the eleccion of two fishes whom he liste, and every of the Bailivis to have in like a fisher such as they shall choosse to keape ther housse with fishe.

“John Oge Lynche, Mayor; John Lynch and Perse Lynche Fitz fol. 56. Olyver, Bailieffes, in anno 1551 :

“Masters :

John Bodiken,	Johnnickin Lynche,
Richard Blake,	Edmond Lynche,
Richard Marten,	Thomas Blacke,
Marten Lynch,	Stevn Fitz Arture,
Dominicke Lynch,	Thomas Martin,
Henry Jose,	Richard Kirvan.—13.

“Statute :

“Item : It is ordered and statutid that no person ne persons of this town shall not convey or bringe into town his neighbours goodes or hides so being stollin or conveyed by anny Irishe man of the countrey and so being brought in to this town, to cloke and dryve off[f] his neighbour for comynge by knowledg of his goodes in private vessells, as chestes, clevis<sup>3</sup> of thirvis,<sup>4</sup> rushis, or strawe, other<sup>5</sup> barrayls or any other prevy conveyance, he or they that so be found in conveying of the same goodes, to forfayt that which he bringith to the officers and as much more to him to whom the goodes did appertayne, withoute any grace.

“Jhonock Lynche, Fitz S., Mayor; Androwe Brown and Robocke fol. 57. Lynche, Bailieffes, in anno 1552 :

<sup>1</sup> Septs.

<sup>2</sup> Eels.

<sup>3</sup> Baskets.

<sup>4</sup> Turf.

<sup>5</sup> Or.

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John Bodiken,  
Richard Blake,  
Marten Lynch,  
Dominicke Lynch,  
Henry Jose,  
Johonockin Lynch,

“Masters :

Edmond Lynch,  
Thomas Blake,  
Steven Lynch Fitz A.  
Richard Kyrvan,  
John Lynch Fitz John.—13.

“Statutes :

“1.—Item : Yt ys orderid, edictid and statutid that no person ne person of this town doth bargayne, covenant or contracte with anny child within age or anny prentice withoute gyvinge knowledge or advertisement of the same to the child [h]is father or the prentice [h]ys maister protectors, on payn to lesse and forfaitte for ever all such some or soc. gyvin or bargainde withoute any remedy or grace.

“2.—Item : It ys statutid, edictid and orderid that none of the Corporation of this town shall not become suretie for anny the contrey men, stand in their deffence in aydinge or assistinge them to plede or against anny the enhabitaunce of this town in delainge and defaring them of their right debtes and duties, on payn he or they that so wold do for every time so doinge to forfayte and paye xx.li., withoute remedy.

fol. 58.

“Patricke Lynch, Maior ; Anthony French and Dominick Baylieffes, in anno 1553 :

“Masters :

Richard Blak,  
Marten Lynch,  
Dominick Lynch,  
Edmond Lynch,  
Henry Jose,  
Jhonickin Lynch,

Thomas Blake,  
Stevn Linch Fitz A.  
Thomas Marten,  
Richard Kirvan,  
Jhon Lynche Fitz S.—12.

“Statute :

“Item : It ys ordered, edictid and statutid, for the common weal of this town and ediffinge and repayracions of oure comon workes as wallis, that every Maior for the tyme beinge shall tabull and vittall towe<sup>1</sup> massons or carpinders in his own housse upon his or ther proper charges, the said massons workinge from tyme to tyme upon the workes of muradge and pavedge. And the said massons to remayne and be at worke from Candilmas to Hallondtide yerly. And also the Bailiffes for the tyme beinge to tabull and vittail two massons upon ther charges duringe the tyme and manner aforsaid, the town costome always beria and paynge the ordinary wadges and duties of the said massons. And the said massons to be so keapte by the said Mayor and Bailiffes in respecte of the acostomid and un ordinate banckes<sup>2</sup> and feastes gyvinge them at Midsomer Evne<sup>3</sup> and Michaelmas daye. And that Mayors and Bailiffes that will do contrary to thys statute, to forfayte and paye to the sayd comon workes withoute any remedy or grace xx.li., sterling.

fol. 59.

“Nicholas Lynch, Fitz St[even], Mayor ; Henry Lynche and David Kyrvan, Baylieffes, in anno 1554 :

“Masters :

Patrick Lynch,  
Marten Lynch,  
Henry Jose,  
Richard Blak,  
Dominick Lynch,  
Edmond Lynch,

Jhonickin Lynch,  
Thomas Blake,  
Stevne Fitz A.,  
Thomas Marten,  
Richard Kyrvan,  
John Lynch.—13.

<sup>1</sup> Two.

<sup>2</sup> Banquets.

<sup>3</sup> Eve.



## "Statutes :

"Item : It is orderid, edictid and statutid, by the wholle Courte and Counsaill, with one assente, that all such sylver platte as ys pledgid or pute in paune by anny the enhabitaunce of this town or others to any of the same town, and if the said silver platte be one twelmonith and adaye unranesomid or redemid of the owners or his attorney, the creditors shall or maye go and demaunde the said platte to be ranesomid or redemid. And if it be so that he the owner therof will not redeme the same platte fourthwith, or if the creditore can not yeat <sup>1</sup> the owner nor his attorney, the creditor maye by vertu hereof, at the ende of the said twelmonith and adaye, bringe the said platte befor the Mayor ther to be weyed and praysed,<sup>2</sup> and every ounc therof, if it be good stuffe, to passe in iiii. s. sterling the ounc allways, the owner to have the over plus if anny be deue theroff: Provided alwaye that whatsoever platte or silver is lefte or put in paund of the subtedy, it shalbe redemid and rannsomid at anny tyme the recever call for it, to the use and urgent causses of this town ; otherwysse to be preasid <sup>3</sup> as abowe wryttin.

"Nicholas Blake, Maiore ; Peter French Fitz J. and Perese Lynch Fitz fol. 60.  
John Oge, Bailieffes, in anno 1555 :

## "Masters :

Marten Lynche,	Stevn Lynche,
Henry Jose,	Thomas Marten,
Dom[in]icke Lynch,	Richard Kyrvan,
Edmond Lynch,	John Lynche,
Thomas Blake,	Johnock Lynch Fitz S.,
Jhonickin Lynch,	Patrick Lynch.—13.

## "Statute :

"Item : It ys ordered, edictid and statutid by the Counsaill, with one assent, for the better peace and tranquilitié of this town, that whatsoever person or persons, of what degre he or they be of, will gyve a buffet or bloue to anny Alderman of the same, shall not onely suffer inpriso[n]mente but also pay unto him to whom the buffet is gyvin the some of one hundrid shillinges, withoute respecte of grace. And also shall paye to him that was Bailiefe or in office, if he or they would so stricke, fifty shillinges. And if anny man shuld stricke or buffet a bachelere, he or they so doinge to forfayte and paye to him or them so strockin fyve and twenty shillinges. And if anny man shuld buffete or stricke a yonge man unmarried or keapinge no housse, he or they that so strickith to forfaite and paye twelleve shillinges, vi. d., and not in paininge thes forfaytes onely, but he or they that so strickith anny of the forsaid persons shall paye to the officers for the tyme beinge, to be devid[ed] uppon the Corporacion as it ys acustomid, an hundrid shillinges, tociens quociens.

"Wyll[i]ame Skerete, Mayor ; John Blak Fitz R., Marten Frenche, fol. 61.  
Bailieffes, in anno 1556 :

## "Masters :

Richard Blake,	Johnocke Lynch,
Marten Lynche,	Stevn Lynch Fitz A.,
Dominicke Lynch,	Thomas Marten,
Edmond Lynch,	Richard Kyrvan,
Thomas Blake,	John Lynch Fitz J.—11.

<sup>1</sup> Get.<sup>2</sup>, <sup>3</sup> Appraised.

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“ Statute :

“ 1.—Item : It is orderid, with one assent and consente, for to banne and discouradge all such as would pretend wrongfullie to have delict and trouble anny one another his neighbour in this town of Galwey, that all them that begynnith any such sute, quarell or demaunde, or that would goo aboute to begille,<sup>1</sup> delaye, or trubull any man aboute or for his neighbours deabtes, boundes, or otherwysse, and that against him the sentence shuld passe, either in this Courte or in all others. His Majesties, within this realme, shall paye, contente, satisfie the party grevid and wrongid not ouely the effect and purporte of any such sentence but also what costes, lostes, chardges and domadges he sustaynith by the wrongfull execucion as well for the order or sentence also for the expenssis domadges and chardges. We meane that he on whose side sentence be given, be it by order of indifferent men, arbitrement otherwysse, shall furst of all laye oute the chardges, and alwaies provide that afterwarde payment be recovered, and execucion to be made on and uppon the partie that wrongfullie challangid or maynteinid the sute demaunde as afforsaid.

fol. 62.

“ Jhamis Oge Lynch, Maior ; Rycharde Lynch and Walter Lynche Baylieffes, in anno 1557 :

“ Masters :

Will[i]am Skeret,  
Richard Blake,  
Marten Lynch,  
Dominicke Lynch,  
Edmond Lynch,  
Thomas Blake,

Stevn Lynch Fitz. A.,  
Thomas Martin,  
Richard Kyrvan,  
Jhnock Lynch Fitz S.,  
Jhonickin Lynch.—12.

“ Statutes :

“ 1.—Memorandum : That, wher dyvers the enhabitaunce of this town would detayne the costome or comon rente for suche debtes so owing to them uppon this town, it is ordered that no person ne persons of the same shall not keape or detayne no such comon rentes, but shall deliver the same to the Mayor and officers for the repairing of the common workes yerly withoute any contradicion.

“ 2.—Item : It is ordered, statutid and edictid acordinge oure charters and liberties of our Kinges and Princes, that ther be no more but twelre Mayors<sup>2</sup> and the Mayor for the tyme beinge, so that ther be no more in the whole but therten, and at what daye acostimed the Comens doth chosse and electe ther Mayor they shall also chosse and electe one of the Baillieffes, such as they thinke fittest to serve the tounne ; and the Mayor so chossen by the Comens shall have at his choysse the election and chossinge of another Baillieffe, such as shall please him to chosse of his fryndes.

fol. 62b.

Item : Where one Richard Fitz Geffre Blake challangid and claym'd befor the Mayor and Counsaill of this town houe he ought to have the concurse and oppenyng of the posterne gatte,<sup>3</sup> otherwysse callid the gutte, from tyme to tyme as well by nighte as daye, to have his fishinge bottes to come in and oute, therfor we the said Mayor and Counsaill

<sup>1</sup> Beguile.

<sup>2</sup> Styled also “ Maisters ” or Masters, and Mayor's peers or counsellors. See p. 399, and statute under 1569.

<sup>3</sup> Gate.

perceavinge and forseinge his clayme and challandge to be very discomodyus and perells<sup>1</sup> to this town to have such a gape or dore so oppenid in suche dangerus tymis, have orderid and edictid that the said gatte or gout shall not be openid wherby anny unconve[n]yance<sup>2</sup> might groue or come to the same town, ether by night or day, nor no gatte or comunen waye elles in or aboute the wallis of the same, but such fishers as be appoyntid to fishe shall go befor the said gattes or goutes be closed or shute forthe to ther fishinge and so to remayn withoute all night untill the morninge that the said gattes be oppenid.

“ Ambrose Lynch Fitz Maartin, Mayor; Dominick Lynch and Richard fol. 63. Lynch Fitz Patricke, Bayliefes, anno 1558 :

“ Masters :

Dominicke Lynch,  
Johnnickin Lynch,  
Edmond Lynch,  
Thomas Blake,  
Stevn Linch Fitz A.,  
Thomas Marten,

Jhon Oge Lynch,  
Johnnock Lynch,  
Nicholas Lynch,  
Nicholas Blake,  
Will[i]am Skeret,  
Marten Lynch.—13.

“ Statutes :

“1.—Item: It ys ordered, estatutid and edictid by the Courte [h]is wholl assent that whatsoever Irish man or any other elles that withoute right taketh anny kowe<sup>3</sup> or capull<sup>4</sup> or anny kynd of cattayll from any the enhabitaunce of this town, this same person or persons so takinge any such cattayll withoute righte, he or they not onely to restore the said cattail in ther former statte, but also with ther encresse, as it is acostomid in the country.

“2.—Item : the above statute was confirmid and rattified by Mr. Denies Kyrvan, then being Mayor, as to saye, the costome and usadge of the contry beinge evidently knouin, the encresse of a kowe to be a great kowe and a small kowe by the yere : therfor it is ordereid by the Mayor and Counsaill that every man that so deteyneth or keape any mans to paye yerly ther for towe kyne and for every capull so taken and detaynid to paye ther for every yere towe capulls with the domadges of ther worke and laboure; and so in like manner acordinge the costome of the country to aunswer and paye for the encresse of all small cattail accordingly.<sup>5</sup>

“ George Lynch Fitz. W., Maior; Peter Lynch and Roboke French, fol. 64. Baileffes, in anno 1559 :

“ Masters :

Richard Blake,  
Marten Lynch,  
Johnnickin Lynche,  
Thomas Blake,  
Stevn Lynch Fitz A.,  
Thomas Martyn,

John Oge Lynch,  
Nicholas Lynch Fitz St.,  
Nicholas Blake,  
William Skeret,  
Johnnocke Lynch Fitz St.—12.

<sup>1</sup> Perilous.

<sup>2</sup> Inconvenience.

<sup>3</sup> Cow.

<sup>4</sup> Horse.

<sup>5</sup> For document of A.D. 1558, entered on fol. 5 of Ms., see p. 388.

ARCHIVES OF  
TOWN OF  
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"Statutes." [Blank.]

fol. 65. "Stevne Lynch Fitz Artour, Maior; Jhamis Lynch and Nicholas Frenche Fitz Oliver, Bailiefes in anno 1560 :

"Maisters :

Richard Blake,  
Marten Lynch,  
Johnnickin Lynch,  
Thomas Blake,  
Thomas Marten,  
John Lynch Fitz J.,

Nicholas Lynch,  
Nicholas Blake,  
William Skeret,  
Jhamis Oge Lynch,  
George Fitz Walter.—12.

"Statutes." [Blank.]

fol. 66. "Nicholas Lynch Fitz St., Mayor; Nicolas and Martin Lynches, Bailiefes, in anno 1561 :

"Masters :

Richard Blake,  
Marten Lynch,  
Johonickin Lynch,  
Thomas Blake,  
Stevn Lynch,  
Thomas Marten,

John Lynch,  
Nicholas Blake,  
Will[i]am Skeret,  
Jamis Og Lynch,  
G[e]orge Lynch.—12.

"Statutes." [Blank.]

fol. 67. "Thomas Blake, Mayor; Patricke Blake, and Walter Blake, Bailiefes, anno 1562 :

"Masters :

Richard Blak,  
Marten Lynch,  
Johnickin Linch,  
Stevne Lynch,  
John Lynch,  
Nicholas Blake,

Will[i]am Skeret,  
Thomas Marten,  
Nicholas Lynch,  
Jhamis Og Lynch,  
G[e]orge Lynch.—12.

"Statutes." [Blank.]

fol. 68. "Thomase Martin, Maior; Jhamis Lynch Fitz Artor and Patrick Martin, Bailiefes, anno 1563 :

"Maisters :

Richard Blake,  
Marten Lynch,  
Jhonickin Linch,  
Thomas Blake,  
Stevne Lynch,  
John Lynch,

Nicholas Lynch,  
Nicholas Blake,  
William Skeret,  
Jamys Lynch,  
G[e]orge Lynch.—12.

"Statutes." [Blank.] See p. 385.

"Nycholas Blake, Maior; John Lynch Fitz Thomas and John Fitz Henry Blake, Bailiefes, in anno 1564 :

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fol. 69.

"Maisters :

Richard Blake,	Jhon Lynch Fitz J.,
Marten Lynche,	Nicholas Lynch Fitz S.,
Jhonickin Lynch,	Jhamis Lynch Fitz R.,
Thomas Blake,	Will[i]am Skeret,
Stevn Linch, Fitz A.,	G[e]orge Lynch Fitz W.—12.
Thomas Marten,	

"Statutes." [Blank.]

"Petyr Frynch Fitz Vadyn, Maior; Nicholase Lynch and Androwe Mares, Bailiefes, in anno 1565 :

"Masters :

Richard Blake,	Jhamis Lynch,
Martin Lynch,	Nicholas Lynch,
Johonickin Lynch,	Will[i]am Skeret,
Thomas Blake,	John Lynche,
Stevn Fitz Artor,	G[e]orge Lynch.—12.
Thomas Marten,	

"Statutes." [Blank.]

"Jhamis Kyrvick, Maior; Wil[li]am Martin and Richard Brown, fol. 71. Bailieffes, in anno 1566 :

"Masters :

Marten Lynch, Fitz J.,	Petter French,
Johnuckin Lynch,	Nicholas Lynch Fitz St.,
Thomas Blake,	Will[i]am Skeret,
Stevn Lynch Fitz A.,	Jhamis Lynch,
Thomas Marten,	G[e]orge Fitz W.—11.

"Statutes." [Blank.]

"Edmonde Kyrvane, Mayor; Jhamis Lynch and Marten Kyrvane fol. 72. Bailieffes, in anno 1567 :

"Maisters :

Jhamis Kyrvak,	Jhamis Lynch,
Jhonuckin Lynch,	G[e]orge Lynch,
Thomas Blake,	Petter French,
Stevn Lynch Fitz A.,	Thomas Marten.—10.
Will[i]am Skeret,	

"Statutes." [Blank.]

"Dominick Frenche, Mayore; Willicke Lynch and Gorge Ffrenche, fol. 73. Bailefes, in anno 1568 :

"Masters :

Edmonde Kirvane,	Jhamis Lynch,
Jhonickin Lynch,	G[e]orge Lynch,
Thomas Blake,	Petter French,
Stevne Lynch,	Jhamys Kervick.—10.
Thomas Marten,	

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TOWN OF  
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fol. 74.

"Statutes." [Blank.]

"Gyvane Fante, Mayore; Gregory Bodikin, and Valientene Ffrench, Bailieffes, in anno 1569 :

"Masters :

Dominicke Ffrench,  
Jhonickin Lynch,  
Thomas Blake,  
Stevne Linch Fitz A.,  
Thomas Marten,

Jhamys Lynch,  
G[e]orge Lynch,  
Petter French,  
Jhamis Kervicke,  
Edmond Kirvane.—11.

"Statutes :

"Thos persons folouinge was by the twelve Mayors<sup>1</sup> apoyncetid for the Mayaraltie, and [they] aswell apoyncetid John Martyne as Baillieffes for the town : Furst, Deonise Kerwane, Robuge Linch Fitz Henry, P. Linch Fitz Olyver, and John Lynch Fitz Ed[mond]. Notwithstanding that Androwe Brown, and Domnick Linche was by the sayd Mayor and Mayors peyrs<sup>2</sup> apoyncetid to assossiate the sayd Deonise and Robucke touching the Mayaraltie. Yet in the stede of the sayd Androwe and Domnick the wholle Court and Counsaill, according ther ancient custome, have ordered by a statute that the elder in Bayliffs office supply hys roume in Mayaraltie. And this statute to be observed kept from tyme to tyme. Therfor it is orderid that Peyrs Linch Fitz Olyver and John Lynch Fitz Edmond shall stand and assossiate the said Robucke Lynch in office with the said Deonise, during ther tyme accustomed. And so the elder in office to remayn from tyme to tyme. And, touchinge the Bailifshipe or the office therof, it was statutid and orderid that four of the best and eldest bachlers of the town shall be apoyncetid by the Mayor and the twelve Mayors peyrs, which is to be discreet counsaillors, when they aprobat the Mayor by them set forth, so that the said Court shall alwayes have the ellection aswell of the persons by the said discreet apoyncetid for Mayaraltie as also shall be one of the saide four men, by them thought good, as one of the Baillieffes apoyncetid for the Commens. Also it is orderid that the sayd Mayor electyd for that next present yere shall presently take the choisie of the sayd four bachlers appoyncetd to be his Bailliffe for the present yere; and thus to stand from tyme to tyme alwayes. The meaninge is that our ancient Mayor and Mayors peyrs shall have the aprobacion, and we, the wholle generall court, to have the election. Yet it was orderid and statutyd at Galwaye aforesaid, the furst of August, 1570.

GYVOON FFRANT, Mayor.

fol. 75.

Denyse Kyrvane, Maior; John Martyne and Ambrose Bodikin Baillieffes, anno 1570 :

"Masters :

Gyvane Ffaunte,  
Jhonikin Lynch,  
Thomas Blake,  
Stevn Lynch Fitz A.,  
Thomas Marten,  
Jhamis Lynch,

G[e]orge Lynche,  
Petter Ffrenche,  
Jhamis Kervicke,  
Edmond Kirvan,  
Dominicke Ffrenche.—12.

<sup>1</sup> See statute under A.D. 1557, 416.

<sup>2</sup> Peers.

## "Statutes." [Blank.]

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fol. 76.

"Roboucke Lynche, Maior; Rollande Skerete and Nicholas Ffrenche  
Fitz Vadien, Bailieffes, anno 1571 :

## "Masters :

Denies Kirvane,  
Jhonicken Lynche,  
Thomas Blake,  
Stevn Linch, Fitz A.,  
Thomas Marten,  
Jhamis Lynch Fitz R.,

Petter French,  
Jhamis Kervicke,  
Edmond Kyrvane,  
Dominicke Ffrenche,  
Gyvane Ffaunte.—12.

## "Statutes :

"1.—Item : It is ordered with one assent that none the inhabitaunce of this hir Majesties town of Galwey shall not procure, aske, require or take to ffearme to hymself or to his heyres or assignes or to any other person or persons any such hir Majesties revenus growing or issuing out of this towne, to saye, custome, fishinge, gadging, impost, personadge, relygyus housses or any other thing or thinges apertayninge to hir Highnes within the liberties of this town, unlesse he or they be apoyntid electid and chossen by the wholle Courte and Counsaill to the same: conditionally all such proffittes, benifite or comodities had or gotten by them to be to the common workes and use of this Corporacion. He or they that would do contrary to this statute to forfait and paye fyve hundrid poundes sterling, toties quoties, and also to forsayte and losse his ffredome and liberties for ever. This statute ys confyrmid by Mr. Perse Lynch then beinge Mayor, 1573.

Perys Lynche, Mayor,  
Thomas Martyn,  
Domy[n]yk Ffrynche,  
Robuck Lynche, Mayor,  
Jhon Lynche Fyz Edmond,  
Andwe Brown,  
Pyter French,  
Jamis Lynche Fitz A.,  
James Kerweke,  
Denys Kyrwan,  
Gywan Font,  
Domnyek Linche,  
Perys Lynche, Mayor,  
Jonykyn Lynch Fitz Pers,  
Edmond Kyrrvan,  
James Lynche Fiz Martin,  
Charlys Lynche, Balief,  
Olyver Friuche, Balyff,

Peter Kyrwan,  
John Blake Fitz Richard,  
Nicholas Lynch,  
John Lynch,  
James Lynche,  
Martyn Frenche,  
Ambrosse Bodicken,  
Pyter Lynch Fiz Marcus,  
Perys Lynche,  
Rychard Brown,  
William [. . .]<sup>1</sup>,  
Martyne Fytz Cristopher Lynch,  
Andrew Marys,  
Valentyne Frenche,  
Thomas Martin,  
Dominyk Brown,  
William Marten.  
[. . .]<sup>2</sup>

"Jhone Lynch, Maior; John Lynch Fitz William and Marcus fol. 77.  
Lynch, Baylieffes, in anno 1572 :

## "Masters :

Roboucke Linch,  
Johnikin Linche,

Thomas Blake,  
Stevne Linche,

<sup>1, 2</sup> Portions of Ms. obliterated.

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Thomas Marten,  
Jhamis Lynche,  
Petter Ffrench,  
Jhamis Kervicke,

Edmond Kervane,  
Dominicke Ffrenche,  
Denys Kyrvan,  
Gyvane Ffaunte.—13.

“ Statutes :

“ 1.—Item : It ys ordered, statutid, edictid and stablished by the Courte and Counsaill with one mutuall consent and assente for sondry good consideracions, utilitie and common wealth of this town of Galweye, that none thenhabitaunce of the same shall not procure, receave or take unto himself or for anny other persons of what degre he or they be of any such the Quenes Majesties revenus or offices within the liberties or franchies of this town. As to saye, to be controllers, receivers, factors or attorneys of the late imposte, cocket or fishinges or anny duties or tributes apertayninge or in any wyse belonging unto hir Highnes. Also that none of the said enhabitaunce shall procure, demaunde or take on them piertly<sup>1</sup> or oppenly to be sherieffes, subsheriffes, ceassors,<sup>2</sup> constabulls or anny other offices apertayninge unto hir Majestie withoute the liberties of thys town throughout the wholle provence of Connaghte, on payn to losse, forfayte and paye fyve hundrid poundes tociens quociens and to lesse his fredome and liberties of the same for ever, unlesse he or they be such persons as the wholle Counsaill and Comens shall chosse with one assent, and the benefit or profit had by such offices or revenus to be to the common use of this town.

“ 2.—Item : It is ordered and enactyd by the Court and Counsaill with one wholle assent and consent that whatsoever he be of this town and Corporacion that keapith, detaynith or clokith by fraude, collar or deceyt any letter or letters to his own privatt gayn or comoditie being so sent or directyd to the Mayor or any other of the Corporacion which might so hender the common welth of the town, he or they that so doth to losse forfait and paye without any respecte of grace, xx. li.<sup>3</sup>

fol. 78.

“ Peyrse Lynch Fitz Olyvver, Mayor ; Charles Lynch Fitz Ulick and Olyver Oge Ffrench, Bayllyffes, in anno 1573 :

“ Masters :

John Lynche Fitz Edmond,  
Johnickene Lynche,  
Thomas Blake,  
Stevne Lynche,  
Thomas Martyne,  
Petter Ffrenche,

Jamys Kerwick,  
Edmond Kerwane,  
Dominick Ffrenche,  
Gyvant Faunt,  
Deonise Kerwane,  
Robock Lynche.—13.

“ Statutes :

“ Item : In a Gennerrall Court holdin at this, hyr Majesties town of Galweye, the xxith of July, it was agred and condissendid by the Mayor and wholle Counsaill that the statute or acte made in Mr. Gyvant Faunt [in] tyme of Mayraltie [1569] as concerning the election and chossing of the Mayor and Bailleffes shall be confyrmid, observid and kept from tyme to tyme for ever without any alteration otherwysse than that statute doth specifie, and that for feare of further inconveniency or discord.

“ PERS LYNCH, Mayor.

“ Item : In a Generall Courte holden at this, hir Majesties towne of Gallway, the fifth of the moneth of Agust, anno 1574, yt is orderede.

<sup>1</sup> privately.

<sup>2</sup> cessors.

<sup>3</sup> Ms. faded



edictede and perpetuallie estatutede, mutuallie by the wholle asente and consente of all the Mayors [peers], Balifes and brethren assembled in the same, that whatsoever gennerall or common bargaine shalbe made, either presentlie at the haven or frome any countrey to come, that thannciente accustoms of the most number usede in this towne, shall henceforwarde not in this case and pointe extende to chardg any the inhabitauntes of this same any more or otherwise than what part or porcion yt shall please them or any of them thereof to take, yea and confessing the same plainlie beforehande by his and their hand writting. And what manner soever bargaine cometh, whether there be profite thereby or lostes, is from tyme to tyme to be devidede onelie among those that giveth there verdit without that any the rest doe or shall susteine any benefite or domadges in that behalf.

“PERYS LYNCH, Mayor.

“Andrew Browne, Mayor; Anthony Linche Fitz<sup>1</sup> Marchus and fol. 79. Nicholas Kyrwain Fitz<sup>2</sup> Denis, Ballivis, anno 1574, the xxixth of September :

“Masters :

Pitre Lynch Fitz Oleffeare,	Edmond Kerwane,
Jhonekyn Lynch,	Dominicke Frenche,
Thomas Blake,	Gywende Faunte,
Stephene Lynche,	Denes Kerwane,
Thomas Martine,	Robocke Lynch,
Pieter Ffrench,	Jhone Lynch Fitz Edmonde.—14.
James Kyerwicke,	

“Memorandum : That in the above year the said Mr. Andrew Brown ended his lyf the xiith day of October, at ten of the clock at aftir none, he beinge then in his Meralty office.

“James Kerwyck, Mayor second tyme ; Antony Lynche Fitz Marchus fol. 80. and Nycolas Kerwane Ballyffes, anno 1574, the xii of October, et regni regine nostre, Elyzabethhe, xvi<sup>o</sup> :

“Masters :

Pieres Lynch Fitz Olewer,	Edmond Kerwane,
Jonickyne Lynch,	Dominicke Ffrench,
Thomas Blake,	Gervene Ffaunth,
Stephen Lynch Fitz Artor,	Denes Kerwane,
Thomas Martyne,	Robick Lynch,
Piter Ffrench,	Jhone Lynch Fitz Edmonde.—12.

“Memorandum : That in a Courte holdene at Galway the xxti day of October, anno 1574, it was ordered, estatuted and established, for divers good consideraciones, and for the commone wealth of this towne, Commons and Corporacion, upone payne to los and forffith xxti pound sterlinge current mony of England to be rered and levied to the commone use, and allso devided and bestowed as other the lik forfeytours hath beine usede and acustomed hirtofor, reserwinge and allowinge the fourth part only of the said xx.li. to such person or persons that will follow and make this matter good in brengynge lawfull profe the fact to hav beine don contrary and agaynest this our statTue viz. that non of the inhabitaunce of Galway, free or onfree, yonge or old, shall not frome this present tyme

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fourth, shell<sup>1</sup> any kynd of flesh quicke or dead for mony or for any other kynd of payment to any of the bucheares<sup>2</sup> of the same towne upone payne of the xx. *li.*, afor lemyted allso and aswell that non of the bucheares of the same towne upone the paynes befor specsified shall not from hence fourth beye any kynd of fleash quick or dead of any maner mane or womane of Galway, nether of any other person or persones of the country under cullour and upon a condicion to pay by a day certayne sommes of mony, hides, tallow or any other kynd of payment to be maid to any of Galway aforesaid by any maner bargane or cullowr, but as such personnes that ar wyllinge to shyll<sup>3</sup> fleash they to send ther fleash frome tyme to tyme to the fleash shamoulles<sup>4</sup> ther to be sold and bought at the first hand only without to shell or reshyl<sup>5</sup> it again at the second and third hand as hetherto was used which was a chiefe occasioun and part of the decay and [de] strouction<sup>6</sup> of the said Commons and Corporacion; and this estatut to be observed and kept from tyme to tyme upon the penalty afor lymeted and expresed. Dated at Galway, aforesaid the yeaere and day abov writine.

"Memorandum: That in a Gennerall Court holdin the xiiith of March, in the yere above writtin, it ys ordered, established and confyrmid by dyverse and sondrye good occations, quietnes and tranquillite of this Corporacion and Comens, that if any person or persons of the same do hold, occupye and possesse any landes, woodes, meadows, pastures or tenementes beinge in striffe other<sup>7</sup> variaunces betwixt partye and partye, other kutith wood or underwoodes, eatith ther grasse, [or] maketh troff upon any the lyke landes in contriversye, he or they that so would be contrary to this statute to paye both parties for the premisses for eschequing anye trubull to ensue to any the said Comens through ther default in that behalfe. Gyvin the daye and yere above wrytten.

"JAMES KERWEE, Mayor.

fol. 80b.

"Memorandum The xiiith of Juyl, anno 1575, then beinge Mayor. Master James Kerwicke; Anthony Linch and Nicholas Kerwicke Bailliffes; one Morchowe McTerriligh McDonill, Chef of his nation. callid Cian Teige<sup>8</sup> of Aron, apperid befor us the said Bailliffes and combrethren, requiringe and clayminge to have the auncient custome of connoue and meales due to him and to hys antecessors within this town of Galwaye, to saye, for two dayes and two nightes. And we, the said Mayor, Bailliffes and combrethren, callinge before us auncient and credible persons to have intelligence and also ther opinion and knowledge whether we were bounde by any promise or graunt to give them meat, drinke or lodginge for two dayes and two nightes, as they so claymid and requirid, who did testifie upon ther corporall othes that they never hard of ther parente<sup>9</sup> nor never saue the said cept<sup>10</sup> of Clayn Teige to have no more within this town but onely two meales; and upon that ther record and testimoyne of that old auncient fathers, it is accordid, confirmit and agreid by one mutuall assent of us, the said Mayor, Bailliffs, and Comens that the said cept of Clayn Teige shal

<sup>1</sup>, <sup>3</sup> sell. <sup>2</sup> butchers. <sup>4</sup> shamblies. <sup>5</sup> re-sell. <sup>6</sup> destruction. <sup>7</sup> or.

<sup>8</sup> A branch of the clan of O'Brien. "They were always sovereign lords of the Isles of Aran in the bay of Galway and of Tromra, in the county of Clare, under the reign of Queen Elizabeth, as appears by an address which the Mayor and Sheriff of Galway wrote in their favour to that Queen, wherein it is mentioned that the Corporation of that city paid them an annual tribute of a certain number of pipes of wine, in consideration of their protection and expenses in guarding the bay and harbour of Galway against pirates and coast plunderers." "Irish-English Dictionary." Paris: 1768. "Connoue," above mentioned, is designated "Coyt ut," in State Papers, Ireland, of reign of Henry VIII., and was a form of cess or tax.

<sup>9</sup> Parents.

<sup>10</sup> Sept.

have no more but that two accustomed meales due to them of auncient [time], the sayd Clayn Teige beinge allwayes bounde to serve, attend and wayt upon us and in our service, as ther antecestors hath bene accustomed from tyme to tyme. Lykwyse the said cept of Clan Teige and their folowers is bounde to gyve the accustomed meales and connoue to all the Comens of Galway when and as oft as they shall come or repayr to the illes<sup>1</sup> of Aron.

"Also we, the said Mayor, Bailliffes and Comens doth grant and promise for us and our successors for to be ayders, helpers, maynteyners and assisters of the said Clan Teige to withstand all person and persons that would pretend or go aboute to laye sedge, spoyle or rase the said illandes or castelles of Aron, other in any wyse elles go about for to wronge the said Morchowe or his cept in ther just causes as far fourth as our pouer shall extende or occation shall serve from tyme to tyme upon our own costes and chardges. Yevin in our court house, the daye and yere above writtin, under our signes manuell.—1575.

"Be it knouin to all men by thes presentes that we, Teig Etrugh, Morchowe Morowe, Conchor McMorchoueyne, Teriligh Meeagh, Teig Mac Terriligh, Dermot Mac Morchoue, Teige Mac Tiriligh Oge, Chcnchor McMoyriertigh McBrene, gentlemen of Aron, and Dermot McCormock McConchor of the castell of Trowmor, have made, constitutid and in our place set and ordayne our welbelovid cussin and captain, Morchoue McTerriligh McDonill, our treue and lafull attorney to axe (*sic*), requyre, levy, recover, receve, bargayn, agre, compound and concerte with James Linch Fitz Ambrose of Galway, merchant, for redeming and ramsoning of the Illes of Aron which the said James Linch hath in mortgadge and other wyse in pledge, condicionaly that all suche parcelles of the said illandes as he shall so redeme and ramson to be to his the said Teig McMorchowe and to his heysr for ever, without exception or contradicion. Lykwyse we and every of us, the aforesaid persons, standith bounden with our persons, goodes, landes and cattail, movable and unmovable, heysr, executors and assignes present and to come, to observe, stand, abyd and fulfill the order gyvin by Charles Cahan Conuers OHernan, Nicholas Cahan and Gillebride McBrodyn, and never for to (*sic*.) against any clause, point or condicion therin prescribid. Yevinge and grauntinge to our said attorney our full power and authoritie in the premisses to execut, performe, conclude, finishe, seale, accord and acquit letters of acquitaunces and other discharges for us and in our namys which shall be expedint and necessary in all thinges as throughly, holly and suerly as [if] we were present in proper persons and all that all our said attorney shall hapen to do or cause to be done in and for the premises we promise to allowe, performe, rattify and establish the same for ever, and therunto wee stand bounden as aforesaid by thes presentes.

"In wittnes wherof the parties aforwritten willid me, the underwrittinge publicus notarius, to writte and regester this our gennerrall especiall commission in this Statute booke of Galwaye aforesaid, for record of the premisses, and to put the Mayralty seale of office to the originall of our comission bearing date the xiiii of July 1575.

"Memorandum: That wher an order bearinge date the xvth of June, fol. [81]. anno 1575, did passe betwixt Morchowe McTerriligh and the reste of the cept of Clan Teige of Aron and James Linche Fitz Ambros of Galwaye, merchant, wherein is amonge other clauses prescribid and specifid that if in case the said cept of Clan Teige had deceased and perished, that he, the said James, shuld be ther sole heyre and possesse Aron and ther [w]holle landes: and also that the said Cian Teige shuld not alienat

<sup>1</sup> Isles.

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immortgadge or put to pledge anny part or parcell of ther land-  
without the said James [h]is license and consente : Knouin beyt<sup>1</sup> to al  
men by the mutuall asentess and consentes both of all the said sept and  
the said James Linch in a Gennerrall Assembly, that if in case the said  
Clan Teige shuld so perish and decease alltogether, that the [w] holle  
Comens and Corporacion of Galway shall be ther heyrss and possessor  
the Illes of Aron and all other ther landes : in lyke manner that the said  
sept of Clan Teige shall not alienat nor ymortgadge no parte or parcell  
Aron to no person or persons withoute the consent and licence of the  
holle Comens and Corporacion of Galwaye, anny point, clause or con-  
dicion in the said order to the contrary of the premisses in any wise  
withstandinge, but for ever more to stand of no force, vertu nor strength  
befor any Judge or Judges in whose presence at any tyme the matter  
shall requyre onely in that behalf. And for wittnes and credence  
trowth the said parties do hereunto set ther signes the xiiith of Ju-  
anno 1575, et regni Regine nostre, Elizabethe, xvii<sup>o</sup>.

fol. 83.<sup>2</sup>

"Petter French Fytz John, Mayor ; Thomas Kerowan Gorge French  
Fitz Edward, Ballyffes, anno, 1576 :

"Masters :

Dominick Brown,  
James Kerwick,  
Johnnicken Lynche,  
Stephvn Lynche,  
Tomas Marten,  
Edmond Kerowan,

Dominick French,  
Gyvan Font,  
Robuck Lynche,  
John Lynch,  
Peyrs Lynch.—12.

"Statutes : " [Blank]

fol. 84.

"Peyrs Lynch, Mayor ; John Blak and Frannces Marten, Bayliffes  
anno 1577 :

"Masters :

Petter Ffrench, Fitz John,  
Johnnicken Lynch  
Stevne Fitz Artur Linch,  
James Kerwick,  
Edmond Kerowan,  
Domnick Ffrench,

Gyvan Ffonnte,  
Robuge Lynche,  
John Lynch Fitz Edmond,  
Peyrs Lynch Fitz Oliffer,  
Domnick Brown.—12.

"Statutes :

"Whereas, in a Generall Assembly or Courte holdin within this, be-  
Majesties town of Galwaye the xviiith of February, 1577, dyverse and  
sondery persons complayned of the great losse they sustayned in this  
ventadge<sup>3</sup> by meanes of those with whom they have sente and trusted  
their goodes in to Spayne and other forrayne places ; and to prevent  
suche grevous complaints hereafter the Maior, Bailliffes and the reste of  
the wholle Counsell ther assembled have thought good to make a perpetuall  
statute in forme followinge, videlicet : Memorandum.—In that generall  
Courte so holdin it was ordered, statuted and established for ever by the  
consent of the Maior, Bailiffes and wholle combrethern and Corporacion  
that whatsoever attorney or attorneys dyd use aswell in this present  
ventadge<sup>4</sup> as hereafter will use any deceit or collusion with any of such

<sup>1</sup> Be it known.

<sup>2</sup> Fol. 82 is not in the MS. Entries for the year 1575 appear on 80b. and 81. as  
above and at pp. 424-5.

<sup>3</sup>, <sup>4</sup> Vintage.

s did (or hereafter shall or will) truste hys or their goodes with any person or persons beyond the seas in to any forrayne realme or did or will keape and detayne from the owner or owners any part or parcell of he goodes which he or they the said attorneyes put in trust withall, be ydes thaccomptance and common atturnishippe, that for every penny which shalbe so detayned and kept by deciet and collusion as afor is aid by any such attorney or attorneyes, aswell in selling of wares and betowinge thereof as other wyse by what meanes so ever it be, if the aulsod and deceit be founde, the sayd attorney or attorneyes shall ourthewith withoute any respect of grace for every penny so found as afor said to forfaye twelve pence, to saye, therd parte thereof to the owner or owners of the goodes, in respect of his or their beastowinge of the herd part towards the repayracion of the churche, and the other parte o be to the officers for tyme beinge in consideracion that they shalbe the more prompte from tyme to tyme put this statute in execucion.

"Dated at our Courte-house, the daye and yere, ut supra, etc.,  
A[LEXANDER] D[ERMOT], Publicus Notarius.

"Memorandum.—That in a generall Courte holden by us, Peyrs Lynch fol. 84b.  
nd John, Mayor of this, her Majestys town of Galwaye, John Blak  
nd Fraunces Marten, Bailliffes, with the rest of the combrethren and  
Corporacion of the same, the xxviith of May, 1578, yt ys graunted,  
condiscendyd by us mutually, for the good opynion we have in our  
worshipfull and loving ffrend, Mr. Anthony Fyton,<sup>1</sup> gentleman, and  
also for the great love and amitie that we gennerally doth beare to hym,  
that he shall have the ffredome and libertie of our towne, in as lardge  
and ampull manner as anny of us hathe or hereafter shall have : therefor  
we do by thes presentes receave and take to us as our deare frend and  
brother, the said Mr. Anthony, both he and his chyldren of his body  
egytymat begotten, to be as one of this Corporacion and to be as fre in  
his town as we or our childrin for ever, and to supply all offices and  
lignities with us as other our Aldermen doth, the said Mr. Anthony and  
his childrin being treue and faithfull to the said Corporacion, and to  
further the commonwealth of the same, and to keape and observe our  
audable actes and statutes that shalbe for our common welth, as far as  
t shall consist in his or their powers, against all men in right : And he  
and we to dwell together in brotherly love and charitie as good neigh-  
bours and townsmen. Also, we, the said Mayor, Bailliffes and Corpo-  
racion, with that our combrethren, do for the full establishing of the  
ege<sup>2</sup> and amytie befor expressed betwixt us, and sayd Maior and  
Corporacion of Galwaye, and our said frend and brother, Mr. Anthony  
Fyton, allowe, establish, rattify and confyrme, as our intyre deede all  
such articles of agreement as are concluded and agreid upon betwixt  
he sayd Mr. Anthony, of thone<sup>3</sup> partye, and John Martyn, our agent  
and assigne by commission of our wholle Corporacion in that behalf, of  
the other partie, as in an indenture bearing datte the xvith of Apriell,  
or otherwise appeareth. In wyttnes wherof, we caused our Maior, for  
us and in our names, to sette hereunto our common seale, with this our  
signe manuell. Dated in our Courte-house the daye and yere, ut  
supra.

PEYRS LYNCH, Mayor.

<sup>1</sup> Collector and Controllor of Impost, Galway, and brother of Sir Edward Fyton President of Connacht. See "Facsimiles of National Mss. of Ireland," Part IV.—1., p. xxix. London: 1882. Anthony Fyton obtained from Queen Elizabeth a lease of customs, etc. at Galway in 1576.

<sup>2</sup> league.

<sup>3</sup> the one.

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"John Blake Fytz Richard, Mayor, Christofof Lynch and James Dorsey, Balliffes, anno 1578 :

fol. 85.

" Masters :

Peyrs Lynch Fitz John,  
Johnick Lynch,  
Stephvn Lynch Fitz A.,  
James Kerwick,  
Edmond Kerowan,  
Domnick Frenche,

Gyvant Fonnte,  
Robuck Lynche,  
John Lynch Fitz Edmond,  
Peyrs Lynch Fitz Ollifer,  
Domnick Brown,  
Peter French Fitz John.—12.

" Statutes :

" Item.—In a gennerall Court holdin at this, her Majesties towne Galwaye, the iiiith of Marche 1579, it was concludyd and agreyd, & one wholle assente, for a perpetuall statute, that whatsoever merchant or merchantes of eich degre of this Corporacion that shuld make viadage to Spayne, Fraunche, or other forrayne contrye, having any keyn commissioun or auctoritie for bringinge or transportinge any kynde of wares whereby any person or persons so bringinge the same by such auctoritie or commission under pretence would saye that he would so bring the halfe quarter or therd parte in any suche shipp or shippinges coming to Galwaye of ther owne goodes onelye to mark and signe of the said viadage beinge the beste under their markes, for deceivinge and defraudinge those their neighbours that shuld so send with them their commodities and auctoritie as aforesayd, and for escheuinge and abolishinge of the abuse commonlye used emonge us, the said Comons and Corporacion is nowe fyrmly orderyd and agred that from henceforth no merchant nor marchauntes shall not use or practis to enseale or mark any signe signes uppon any pipe, bout, or hogged at the byinge thereof in no place contrye until it be enletyd and devydid at the key of Galwaye as aforesayd, accordinge as it shall fall out by lottes, except Tente, Bastard, or other pryncipall and deare wynes. Gyvin under the signe accustomed the daye and yere, etc.

" Item : It is orderyd and ennacted, the ixth of Marche, above writen in a gennerall Courte holden at her Majesties towne of Galwaye that the Maior for tyme beinge shall not gyve nor graunte no certificat to any freman or any other person or persons whatsoever of this Corporacion before the said person demandinge that certificat put in his bill or complaint importing his povertie and losses before [the] gennerall Courte or Counsaill for obtaining and observinge any protection or other liberties and fredomes to inbarres<sup>2</sup> and staye his creditors. The Maior or officers so gyvinge and grauntinge the same contrarye this statute, shall paye and forfeite the debtes in demand withoute any respect of grace. Yevin the daye and yere, etc.

" Item : The viiith of Apriell, 1579, it is orderid and ennacted by the Maior, Baillieffes and combrethren, in our Gennerall Assemblye, to the dyverse consideracions and utilitie of common wealth, that no person nor persons who hath bene or is in office, and associating the Maior or Bailliffes for tyme beinge in judgement or order betwixt partye and partye, shall not be received either for surtyshippe,<sup>3</sup> liberty, or any other enbaylling or fredome whatsoever. The Maior or Bailliffes receivinge any of that (*sic.*) his associates and counsallors in this behalfe to paye the playntiffes partye of his accion and demand. Yevin the daye, etc.

ALEXANDER DERMOT, Publicke Notary.

<sup>1</sup> butt.

<sup>2</sup> embarrass.

<sup>3</sup> suretyship. See p. 458.

"Memorandum : That on the first of August, 1579, in a Gennerall Assembly in a Courte holdin at this, her Majesties towne of Galwaye, by the Mayor, Bailliffes and the reste of the brethren in the same assemblid, ther came in question that the statute made in tyme of Mr. Gyvon Fonte [h]is Mairaltie, in the year 1570, for, through and concernynge the election by the Maiors peyrs of the same of certain foure to their discrecion unto Bailliffes office, hath bene for moste parte in a manner sence which tyme hetherunto all together neglected to be excersysed or used accordinge to the treue meaninge of the same, but rather contrary wyse all way advised. In consideracion wherof, it hath bene and is hereby thought good by the said Gennerall Assembly that that clause of the election of the Bailliffes shall hencefourth stand voyd, and onely hencefourth abynd and stand perfected from tyme to tyme in manner and forme following, viz. the said Gennerall Assembly for dyverse good considerations perpetually statuidd that the Gennerall Assembly of the combrethen, viz. : the most nountber shall have the choice and election of any one housholder beinge a fre man in the Corporacions behalfe for that yere to be chosen Bailliffe and the Maior for the same yere elected by the said Gennerall Assembly to have the election of the other Bailliffe, being a fre housholder, havinge wherwith in habilitie and alwayes to be of good discrecion and behaviour, as to hys dutie shuld appertayne, and the clause of the Mairaltie alwayes to stand as it is.

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fol. 85b.

"Gyven in our Courte house the daye and yere, ut supra.

JOHN BLAKE, Mayor.—ALEXANDER DERMOT, Notarry Publick.

"Martin Frenche, Mayor ; Marcus Lynch Fitz St. and Richarde fol. 86. Butler, Bayllyffes, anno 1579 :

"Masters :

John Blak Fitz Richard,  
Johnnicken Lynch Fitz A.,  
James Kerwick,  
Edmond Kerowane,  
Gyvaunt Ffount,

Robuck Lynche,  
Peyrs Lynch Fitz Ollyver,  
Domnick Brown,  
Peytyr Ffrenche Fitz John,  
Peyrs Lynche Fitz John.—11.

"Statutes :

"1.—Item : In a Gennerall Assembly holdin the xxth daye of January 1579 it is orderyd statutyd and perpetually agreyd by the wholle consentes and assentes of the sayd Mayor, Bailliffes and combrethren mutually that no owner, master, marryner, grome, boye or any other that cometh in any shipp or barque do in no manner wyse drawe the merchant or merchants wyne or aquavite withoute the merchant or propriatories of the same [h]is consente, and that any such person or persons beinge founde cu[l]pable doinge the same shall not onelye cause any suche butte or hogged by them or any of them pearched<sup>1</sup> or drauin to be filled up to the brym of the lyke wyne or aquavitie as the same were, but also to forfayte and paye to the officers for the tyme beinge, the common workes and repayracions of the churche the some<sup>2</sup> of vi. li., sterling, toties quoties.

"2.—Item : Allso it is orderyd and statutyd in the said Assembly by us the Maior, Bailliffes and combrethren if any of the above named persons be founde cullpable to marr wyne or aquavitie either with freshe or salte watter not onely to geve a vessell full of such kynd of good wyne or

<sup>1</sup> pierced.

<sup>2</sup> sum.

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aquavitie, for any suche vessell so marred but also to forfait as bene sayd vi.<sup>li</sup>. sterling toties quoties.

"3.—Item: It is furdur orderyd and estatutyd in the said Assen- by us the Maior, Bailliffes and combretherne if any be founde culp- with the hydinge or steallinge of any merchandize or wares, do not restore the thing or thinges so taken or the uppermuste value th- but also to forfait the some befor mencioned and that all these statutes is mente to be executed aswell on the persons above nom- as also on the towns bottemen<sup>1</sup> and all others found faultie with like.

"4.—Item: It is ordered in the above assembly by us, the M Bailliffes, and combrethen, for a gennerall and perpetuall statute wher mocion was made unto us, that the ladinge of grene and tymbre theas certaine yerres paste came to so greate scarcitie and to no small henderaunce of this Corporacion and common wealth. franchies of the same, wherby grene<sup>2</sup> such wantte of tymbre that to such high price that thenhabitaunce and bordorers were not to be furnished with their own wanttes. It is, therfor, in that occasions orderyd and statutyd as aforesayd that no kynd of such to be ladden or transported oute of this towne to any forren countreallmis upon payn that the buyer and seller of any such so to be transported shall forfait both the tymbre and the pryce thereof that any of our officers may not at any tyme hereafter lier- manner man, of what callinge so ever he or they be of, to tra- any manner tymbre contrary to this statute, on payne of ten p- sterling, to be levyd of his or ther landes and goodes to the workes, salfe onely fuell of wood for fyre and the present wantte repayinge of the shippis, barques or boates at our haven and not where.

fol. 86b.

"Memorandum: That in a Gennerall Courte holden at this t- Majestys towne of Galwaye, on the xvth of May, 1580, mocion bene made unto us, the Mayor and bretherne in the same assen- that manye and sondery gredy, detestable and inordinatly car- levying<sup>3</sup> of interestes and cambies<sup>4</sup> after the rate of a peacke of what a good hyd<sup>5</sup> for the marke<sup>6</sup> by the yeare hath bene reared<sup>7</sup> and take by all such as lent money, both to the utter ruyn and decaye of publicque wealth, and also cleare forgettingte all good concience good neighborlye love, but rather in moste contempte of hir Majestie- do by all cullorable practizes and decite under covert use the same consideracion whereof and to thend that no such deceit shuld longer take roote or perfection, yt is therefore perpetuall statute the said Maior, Bailliffes and brethren, that no person or persons what estate degre so ever he or they be of do at any tyme heare the like directly or indirectly piently<sup>8</sup> or openly and that the same sommes so lente by any manner person or persons, other wise than that is allowed by her Majesties lawes, be altogether forfaycted oute any respecte or remedy of grace and the same to be converted heareafter ffolowith, viz., the therd parte to the repayracion of the church, the therd parte to the common workes, and the other th- parte to the officers for the tyme beinge for puttinge the same to execucion.

"In wittnes whereof the Maior, in the name of the wholle, have k- unto sette his signe, the yeare and daye, ut supra.

"MARTYN FRENCH, Mayor.

<sup>1</sup> boatmen. <sup>2</sup> grew <sup>3</sup> levying.

<sup>4</sup> exchanges of money. <sup>5</sup> hide.

<sup>6</sup> thirteen shillings and fourpence.

<sup>7</sup> exacted. <sup>8</sup> Privately.



"Memorandum: That on the furste of Auguste, 1580, at the electinge and chosinge of officers to the next yeare, as is accustomed, the verdicte for the bringinge in either of Thomas Lynche Fitz James or Marcus Ffrenche dyd so differ that the verdicte of the courte dyd hytte so evne that neiather one nor other had the moste nounge as in such cases shuld appertayne. In consideracion wherof the wholle courte in gennerall agreyd and gave order that two billes shuld be indifferently put in, and that he of them twayne on whose lotte or chaunce would be to come fyrste furthe to be Bailiefe for the Corporacion for this next yeare, and the other remayninge to be Bailiffe for the Corporacion the next yere ffollowinge the same withoute any exception: the rather for that the courtes meaninge, intente and verdicte at the making of a statute this same daye was twelvemonth that those twayne shuld furste come into the nounge of Bailliffes befor any other. Also yt is agreed and perpetuallie estatutyd by the sayd gennerall Assembly that neither the Mayor for the tyme beinge, nor any Mayors peare, shall have either at the tyme of ellection or for any other cause but the verdicte of one man. Datted, ut supra.

"MARTYN FRENCH, Mayor.

Domynick Linche Fytz John Andrue, Mayor; Thomas Linche and fol. [87].  
John Skerret, Baylyffes, 1580:

"Masters:

Martine Frenche,  
Johnikine Linche,  
James Kirwicke,  
Edmunde Kirowan,  
Gewan Faunte,  
Robucke Linche,

Peeres Linche Fitz Olliver,  
Domynicke Browne,  
Peeter Frenche Fytz Jo.,  
Peeter Linche Fytz Jo.,  
John Blake Fytz Richarde.

Statutes:

"Memorandum: That on Michellmas day, being the xxixth of September, in anno 1580, in a gennerall Courte, holden at Galway, for the nomination and placing in office such persons as at the election tyme were thereunto appoynted for the yeare following: It was ordered, estatuted and decreed, uppon the earnest sute and requeste of Domy nyck Lynch Fitz Jhon Androwe, Mayor for that yeare ensueing, aswell for apeasing of all controversies past betwixt Marcus Frinch Fitz Jhon and Thomas Lynch Fitz James, touching the office of Ballivishipp; as also to pacifie, quenche and extinguishe any grudge, anger or envye that may happen betwixt Robart Skerrett and his brother, Jhon Skerrett, for that the said Jhon, by the constitution of his father in lawe, Dominyck Lynch, Mayor, was advanced to the office of Ballivishipp for that yeare, his senior brother, Robart, having not supplied that rome before, that the said Marcus Frinch and Robart Skerrett shall have the vocacions, credyt, romes and promotions of Ballives next after Marcus Lynch Fitz Stiphen and Richard Buttler, who wer Ballives the former year under Martyne Frinch, Mayor, and that they enjoy the same in as good state and condicion as any other before called to that function. And the said Thomas and Jhon to succeed the said Marcus and Robart in vocacion and other offices hereafter, according the ancient custom of the towne and the statute in such a case provided. Dated the day and yeare above wrytten.

"DOMINYCK LYNCH, Mayor.

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"Piter Linche Fitz Marcus, Maior; Domynicke Martine [and] Marcus Linche Fitz Pieter, Baylyfes, anno 1581:

fol. [88].

"Maisters:

Domynyck Linche Fitz Jo.	Pierres Linch Fitz Olliver,
Andrews,	Dominick Browne,
Johnikine Linche,	Pieter Frenche Fitz Jo.,
James Kirwicke,	Pierres Linche Fitz Jo.,
Edmonde Kirwane,	John Blake Fitz Richarde,
Gewan Faunte,	Martine Frenche.
Robooge Linche,	

"Statutes": [Blank.]

fol. [89].<sup>1</sup>

"Robooge Frenche Fitz John, Maior; Water [Joyce] and Edmonde Frenche Fitz Robooge, Bayliefes [anno 1582]:

"Maisters:

Pieter Linche Fitz Nickoles,	Domynycke Browne,
Johnykin Linche,	Peter Frenche Fitz Jo.,
James Kirwicke,	Pierres Linche Fitz Jo.,
Edmonde Kirwane,	John Blake Fitz Richarde,
Gewane Faunte,	Martine Frenche,
Robooge Linche,	Domynycke Linche.
Piers Linche Fitz Olliver,	

"Memorandum: That on Michailmas day, being the xxixth of September in anno 158[2, in a] Courte and Counsayli then assembled yt was by above May[or], [Robooge] French, and the reste of his associate combrethren, ordred and decreed by somme earnesteste requeste and manner then made, [that] John Linche Fitz Cristofer and Johnykin Linche Nycholas should afterwards have and enjoy the places, vocations, credytte of Baylyves, nexte after the Baylives which weare for year [of the] foresaid Robooge Frenches Meraltishippe; and that and [each of] them shall have, use and enjoy the function and calling of Bayl[lives in] as large and ample manner, state and condycion as other . . . do, which have supplied the said office of Baylyves and to . . . and followe in the office of Meraltyshep (yf it be therunto called) the said Baylives for the yeare of the Robooge] Frenches Meraltyshep. Yeoven the day and yeare [written].

fol. [90].

"Nicholas Frenche, Maior, Anthonye Linche Fitz Thomas Ollipher Browne, Baylives, in anno Domini, 1583:

"Maisters:

Robuge Frenche Fitz John,	Dominick Browne,
Johnykin Linche,	Pieter Frenche Fitz John,
James Kirwicke,	Piers Linch Fitz John Oge,
Edmunde Kirwan,	John Blake Fitz Richarde,
Gewan Faunte,	Martine Frenche,
Robuge Linche,	Dominick Linche,
Piers Linch Fitz Olliver,	Pieter Linche.

"Memorandum: That in a Generall Assemblie houlden at this Majesties towne of Galwey the xx-[day of] Februarie, in the year

<sup>1</sup> Portions of [89], and of the five following leaves have been lost through decay.

of Our Lorde God, 1583, by the Mayor, Bayliefes, burgesses and [combrethren] of the same yt was by them generally ordred and decreede, and for the com[mon wealth] of the same towne perpetuallie estatuted, that no person or persons thereof . . . or of what degree or callinge he or they be of shall not at any tyme from the . . . this presente statute compoude, bargayne nor agree nor yet bringe nor tr[ansport] in any shipp or shippinges of merchant strangers or others any wynes, aqua[vite or] other wares or merchandizes whatsoever, in waye of bargayne for contantemant hide . . . onlie for merchantable hydes or soe muche monye as the merchantable hide is . . . worthe by reason that the towne and Corporacion hath bene thes many y[ears] paste greatlie trobled and muche hindered in payment of the said contantemant, And for better observacion and kepinge of this statute yt was lykwise provided, ordre[d and] estatuted by the said Mayor, Bayliefes, burgesses and combrethren that any person or [persons] of this towne whatsoever offendinge or breakinge the same shall loose forfaite and [pay] the somme of one hondreth poundes sterling to be equallie devyded in three partes to . . . one parte to the common workes, an other to the reparacions of the churche and the [other third] to the officers for the tyme beinge puttuge the same in execucion.

"Yeo[vin] the day and yeare above wrytten.

"NYCOLAS FREYNCH, Mayor.—LAWRENCE WILSON, [Notary Public].

"Nicholas Linche, Maior, Richarde Martine and [Geffrey Martine], fol. [91]. Baylives in anno Domini [1584]:

"Maisters:

Nycholas Frenche Fitz Olliver,	Martin French,
Gewan Faunte,	Dominick Linch Fitz Jo.,
Domynyk Browne,	Peeter Linche.
Pierres Linch Fitz Jo. Oge,	Robuck Ffrench.
John Blake Fitz Richard,	

"Congregacio generalis tenta apud Galviam, in Theoloneo ejusdem, Nicholao Linche Fitz Stephani, Maiore v[ille] predicte, Richardo Martine et Galfrido [Martine] Ballivis ejusdem, ix. die Decembris, anno Domini [1584.] anno regni Regine Elizabethæ vicesimo [sexto]:

"Againste transporting of freemens goodes beyond sea.

"In primis: Wheare it was ordayned and agreed, in the tyme of Piers Linche, firste Ma[ior of] this towne in anno 1485, that no merchant of the same, being free, should transporte or [carry] over the seas any goodes that apertayned to unfreemen (as it is termed), upon payne of [forfeiture] of the goodes and the merchant to loose his freedome: It is nowe, for dyvers good [conside]rations, established and ordayned, by authoritie of this Assemblie, that whatsoever fr[ee]man shall henceforth transporte or convey out of this towne, or out of the franchises [or] liberties of the same, any other goodes then that which shall apertayne unto a free[man], shalbe disfranchised and forfaite xx.li., sterling.

"That marryners may not convey any unfreemens goodes beyond [seas].

"Item: Whear in the foresaid ordinance of anno 1485 yt is apoynted that no maryner or ship[man] should carry or transporte such goodes upon payne of forfaytour of one hondreth shillinges [it] is nowe also established by authorytie of the said Assemblie that if any maryner, shipman or maister of ship do henceforth shipp or ymbark to be transported [or]

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fol. [91b].

conveyed into any contrie beyonde the seas, the goodes . . .  
or shall not be free of this Corporacion that . . . maynt  
shipman or maister of ship . . . xx.li., sterling.

"[Item:] Whear it was agreed in the tyme of Dominick Linche Fitz John, seconde Maior of this towne, [in] anno 1486, that no person or persons should purchase or sue any manner writte againste [any] inhabitantes of this towne upone paine to forfayte xx.li., as by the same more [at] large doth and may appeare, it is agreed and ordayned by aucthorytie aforesaid that no freeman or inhabytaunt of this towne shall henceforth sue arrest or implead any other person or persons the same by bill, playnte, or otherwyse, in any other Courte or place but in the Tollsill or Courthouse of this towne, [un]till the same suit here first determyned, upon payne of forfayture of . . . li.; and the plaintiff, beinge a freeman, to loose his freedom. It is not ment here that the bringinge of a writte of error to revers a judgment given . . . shalbe within the compas of this ordinance.

"Item: Whear it was ordayned in the tyme of Stiphen Linche Dominick, then Maior [of] this towne, in anno 1505, that no bachelour of the same should lodge or mayntayne in his howse any harlott common here, upon paine to forfeitte vi.s. viii.d., yt is established by the said anchorytie that if any inhabytaunte of this Corporacion do here forth aid, comforte, lodge, or mayntayne in his howse or otherwyse a bawdry, harlott or harlottes, that then he or they that [so] offendeth shall forfeitt and loose for every tyme he or they so offend xx.s.

"Item: Whear it hath bene established in the tyme of Walter Fitz Thomas, then Maior of this towne, in anno 1513, that the Maior of the tyme beinge shoulde choose two Cunstable, in everie quarter of the towne, to ayde and assiste him, as by the same more at large doth appeare, it is ordayned and agreed that the nowe Maior and all his successors, shall henceforth every yeare, before the feast of Christmas, electe and choose two Cunstable, in every warde or quarter of the towne, to be aidinge and assistinge the said Maior and other officers to mentayne the peace, preserve the people in due obedyence and suppress outrages. Everie Maior that neglecteth to choose Cunstable as before to forfaytte xx.s.

"Item: Whear yt was enacted in tyme of Stephen Lynche Fitz Walter his Meraltie, in anno 1514, that no townsman shoulde buy chattle of a contrieman but of trewe men, and if he did the contrary, then he shoulde hurte the towne sustayned therby the buyer to make amends therfore: yt is nowe agreed and established, for thaugmentation of the markett and the better encouragement of her Majesties subjectes to buy or sell therein, that whatsoever chattle any freeman or other inhabitant buyeth in playne and open markett, (without fraude or collusion) makinge an entrance in the clark of the marketts his book . . . chattle as of the seller thereof his name, surname, and . . . buying in suche manner and order shall noe way . . .

"Touching slanders and abuses.

fol. [92].

"Item: Whear it hath bene ordayned in the tyme of William Martyn Maior [of this] towne, in the yeare 1525, that if any person or persons should speake [any] injurious or sclanderous wordes to the Maior, he shoulde forfeite one hondreth [shillings] and his body to be ymprisoned for lyke sclanderous speeches uttered of the Baylives, to forfaytte the shillings, as by the same may and [doth] more at large appeare, yt is

agreed and established, by author[ty] of this Assembly, that all the penalties comprysed within the said acte or . . . shalbe henceforth dowbled, and the ymprisonment to be at the discreation [of the] Maior, Bayliefe or other that shall fynde himself greeved at the inj[urious] or sclanderous wordes.

“Against drawinge of weapons.

“Item : Whear it is enacted<sup>1</sup> in the tyme of Richard Blake, then Maior of this t[own] in anno 1533, that what soever person or persons of the same do beginne any str[ife], debate or quarrell with any other within the same towne, that he shall fo[rfaite] and pay one hondreth shillinges, and if he shall drawe any weapon, [the] same to be naylled on the pillorie and to make other amendes as [by the] saide acte dothe appeare: Yt is nowe ordayned and agreed by . . . aforesaid that whatsoever person or persons shall vyolate or breake . . . act, that he or they shall be ymprisoned at the discretion of t[he] Maior for the tyme beinge, and if any weapon shalbe drawne in . . . within the towne or ffranchises therof, the same to be fixed . . . (as before) to the pillorie : the forfayture also of the hondreth [shillinges] to remayne and contynue in force.

“That the Mayor for the tym beinge have speciall tokens to sommon men to appeare before hime.

“Item : Whear it hath bene established<sup>2</sup> in the tyme of Richard Martin, Maior of this towne, in anno 1536, that if any man or woman be somoned by the Maior or officers to appeare in the Towllsill or court howse at a certayne day or tyme to answer suche actions laid to his or her charge, he or they that will not apeare personallie or ells his or their attorney to answer in the same, to forfayt and pay *viz.* viii*d.* : It is ordayned and established by the said authoritie that henceforth the Maior for the tyme beinge shall have small tokens and upon any complaynt unto him he to send one of the said tokens by the complaynant unto the partie requiringe him to appeare thereupon, wherof if he fayll then to forfayt xii*d.*, and after the Mayor to sende a sariant to sommon the said partie, and yf he appeare not upon that sommons then to forfaite *viz.* viii*d.*, and the Cunstable to be sent to aprehende his body and comytte the same to prison for his disobedyence and contempte, ther to remayne untill the complaynant be satisfiied.

“That merchaunt adventurers be duly paid.

“Item ; Whear it was ordayned<sup>3</sup> in the tyme of John Ffranch, Maior of this towne, in anno 1538, that whatsoever ship is brought to this towne by any man of the same particularie or cometh hither upon their owne adventure and bought by the commons of the same untill the said shipp be fully satisfiied and paid of their payment, that noe merchant of this towne shall sell or bargayne no hides with any stranger on payne to forfayte and loose all the hides by them so sould or bargayned : Yt is agreed and ordered by authoritie of this Assemblie that no merchant or other inhabytant of this town from henceforth shall during the tyme of any merchant strangers beinge in this to[wne] or harbour attendinge for his or their payment, sell, shewe or proferre to . . . for monnye or otherwyse unto the said stranger [or] strangers or to . . . or their company any hides untill . . . satisfiied and fully paid by his . . . so offendinge shall forfaytte . . .

<sup>1</sup> See p. 406.

<sup>2</sup> See p. 407.

<sup>3</sup> See p. 408.

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fol. [92b].

"Item: Whear it was agreed and ordayned<sup>1</sup> in the tyme of James Oge Linche his Meraltie, in the yeare 1557, that whear divers of thinhabitantes of this towne would detayne the costome or common rent for such debtes so owinge unto them upon the same towne that no persone or persons should so doe but deliver the same to the magistrate yearly to the use of the common worckes: It is agreed, established and ordained by thauctoritie aforesaid that no inhabitant henceforth shall detayne or kepe in his handes or refuse to pay any rent that apertayneth unto this Corporacion but shall pay the same to thofficers apoynted within fiftene daies after Michailmas yearly upon payne to forfaitt xli.s.

"This farr of confirmations and amplifications of ould statutes.

"Hereafter followeth certayne newe ordinances agreed upon at the said Assemblie:

"In primis: Yt is established and ordayned by thauctoritie of the said Assemblie that all Maiors from henceforth shall observe and kepe these orders followinge, viz., when he taketh his othe on Mychailmas daie he shall geve and minister unto the common officers of this towne othe for their more faithfull and dilligent service and attendance in the offices and charge the yeare followinge; and upon thadmision of a freeman to the liberties and fraunchises of this towne, he shall mynster unto suche freeman the oth which shall apertayne to his charge; whiche othes are as doth ensue:

"The othe of a Freeman to be taken when he is admytted:

"You shall sweare, by the Holy contents of this Booke, that you shall be faithfull and trewe to God and our Sovereigne Lady, the Queenes Majestie, her heirs and successours, obaye the magistrates and officers of this towne, maintaine and kepe the lawes and customes of the same, so farre as you shalbe hable. And whatsoever you shall heare, see, perceive or knowe, that may prejudice this Corporacion any way, you shall not conceale but revayle yt as soone as you can to the chief magistrate of the same; and all other things apertayneth to a freeman and good member of the common wealth of this towne you shall well and truly observe and kepe. So God you helpe, and by the contentes of this Booke.

"The oth of the Sariantes:

"You and everie of you shall swere by the Holy contentes of this Booke that you shall well and trewlie serve the Maior, Baylives, Burgesses and Commons of this towne of Galwey in the office of Sariantship: You shall not conceale, ne suffer to be concealed, any right or profytte that belongeth to the same towne, but shall lett yt to your power or help the same to the Mayor of the said towne: Also you shall truly see the processe of this Courte and . . . the same: You shall sommon your quarters to all manner of assemblies: You shall not . . . comyt the partie arrested to warde excepte . . . [Bay] lives according to the usadge of this towne . . . Maior and Baylives and upon this Comytment . . . your office. Theis and all . . . shall well and truly kepe.

"The oth of the Cunstables:

"You shall sweare, by that Booke, that you and everie of you shall well and trullie . . . our Sovereigne Lady the Queenes Majestie . . . thoffice of Cunstableshyp of your . . . wardes you shall well and truly governe the people therof in peace . . . preserve and force that her Highnes peace be well and truly . . . and kept. Night walkers and disordred persons you shall correct and . . . suppress and appease frayes, and shall arrest and comytt to prison [all] offenders.

fol. [93].

<sup>1</sup> See p. 416.

contempnyng and breaking her Highnes peace by frayes, bloodshed, or otherwyse. You shall not permytt ne suffer bodely hurte to [be] done to any of her Highnes subjectes to your power, ne suffer no Irish rebell or enemy to abyde within your wardes without apprehendinge [him or] them, or signyfyinge the same speedely to the Maior of this towne. You shall further see that every inhabytant of your severall wardes have . . . billes,<sup>1</sup> armour, and defencible arraies, accordinge the statutes in that [behalf] provided. Theis and all other thinges apertaynyng to the office of Cunstableschip you shall well and trulie execute and do to your powers. So God [you] helpe, and by the contentes of that Booke.

“The othe of the Porters :

“You shall sweare, by that Booke, that you and everie of you shalbe faithfull and trew [to] our Sovereigne Lady the Queenes Majestie to the Mayor, Baylives, Burgesses, and . . . of this towne, and shall observe and kepe all such charge as shalbe g[iven] unto you by the magistrates of the same. You shall not conceale nor hide any arrestes done within this towne, nor enlarge of your selves any that shalbe arrested. You shall take no extortious fees of any person or persons, nor any other duty or fee but such as hath bene accustomed and allowed unto you. Theis and all other thinges apertaynyng to the office and charge of Porter you shall well and truly kepe and observe. So helpe y[ou] God and by the contentes of that Booke.

“It is lykewyse established and ordayned, by thauthorite aforesaid, that when the newe Maior hath taken his oth, all the keyes of the towne gattes shalbe delivered unto him by the keepers therof, that he may restore them againe to the said keepers or to other newe keepers (if any shalbe chosen) gevinge them charge upon their othe to be trewe, vigilant and dilligent, as by their othe before sett downe doth more at large appeare: the keyes to remayne by night time thone moitie or half-fendeale in the custody of the Maior for the tyme being, and the resydue in the custodie of the last Maior whom in some places they call Maior of the Staple.

“It is further ordayned and established by the said auctoritie that ther shalbe foure General Assemblies houlden by the yeare in the Tollsill or courthowse of this towne and they to be for the more parte the fourth Fryday after Michailmas, Christenmas, Easter and Midsummer, wherin (and noe other tymes without great necessitie) lawes and constytutions shalbe established and free men admytted.

“It is also ordayned that no lease or grante of landes, tenementes or any other thinges apertaynyng to this towne shalbe passed, geven or granted but at one of the foure Assemblies, at which tyme the said lease or grant shalbe engrossed [by] the Towne Clarck but not ensealed untill ther be . . . ten dayes after at which tyme the said lease . . . shalbe openly read and . . . Corporacion then . . . same shall ap[peare] . . . fol. [986].

“It is lykwyse established and agreed that none shalbe henceforth allowed to [bu]y or sell as a merchant within this towne excepte he be admitted a free [m]an at one of the foure Assemblies aforesaid (excepting all thos nowe [abo]ve thage of xxi. yeares and by thancien customs allowed, reputed and taken to be free), for which admittance every freemans issue lawfullye begotte shall paye v. s., every other, not beinge such yssue, having served seven yeares as an apprentice with some freeman within this towne, shall pay xx. s., and any other that shalbe made free

<sup>1</sup> Axes or hatchets.

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to pay for his admittance so much as shalbe thought fitte by the greatest number of the Assembly.

“ The order of admittance to freedoms to be as followeth :

“ A. B. admissus fuit ad franchisesias et libertates hujus ville, quia filius est C. D., liberi hominis, pro fine quinque solidorum.

“ A. B., mercator, admissus est ad franchisesias et libertates hujus ville, quia implevit terminum cum C. D., libero homine, pro fine xx. s.

“ A. B. admissus est ad franchisesias et libertates predictas, quia maritavit C. D., liberam mulierem, pro fine, etc., lefte to the discretion of the most number of thAssemblee.

“ A. B. admissus est ad franchisesias et libertates predictas, pro fine, etc., lefte to the discretion, as afore.

“ It is also further agreed, by the auctoritie of the said Assemblee, that none shalbe admytted or allowed to be Porter at any of the gates of this towne except he be a freeman therof (if any such man be found), and if no freeman may be had to take that charge upon him, then any other that shall supply the said office of Porter to fynd sufficient surties of freemen within this said town to be bounde in fyve hondreth poundes to the Maior for the tyme beinge to the use of the Corporation that he shalbe true unto the same and performe his oth before laide downe.

“ It ys further ordayned by the said auctoritie that no freeman within this towne shall receive or take any apprentice for fewer or lesse yeares then seven ; neither any apprentice that shalbe borne out of this town or ffranchiseses therof, unlesse it be for that suche freeman shall fynde none within the same to serve him. Any freeman doinge the contrary to forfait xx. li. sterling.

“ Item : That any and every freeman of this Corporation that willinglie absenteth him or them from the same duringe the space of one whole yeare and a daye, not paying or bearinge with the said Corporation scott and lotte, taxe and tallage, then he or they so absentinge and not paying or bearinge, to be disfranchised and loose his or their freedome for ever.

“ [It is] likewyse established that if any inhabitant of this towne do at any tyme [fore]stall or regrate the market of the same, that he shall (obli.) and the goodes so boughte . . .

fol. [94].

“ It is lykewyse further established by auctoritie aforesaid, that if any dweller within this town do hereafter bringe or conveye into the same the goodes of any other inhabitant therof, and seeke to cover or conceale the said goodes, that he or she so doinge shall make restitution of the goodes to the trewe owner and forfaitte x. li., nomine pene.

“ It is also established by auctoritie of the said Assembly that if any person or persons of this Corporacion do henceforth procure or perswade any infaunte of this towne under the adge of xxi. yeares, be he or she prentise or otherwyse, to marrie without thadvyse and consent of the parentes of such infante, or without the consent of his or her tutour or tutours, if the parentes be dead, that then the person or persons so procuringe or perswadinge, to forfaitt x. li. sterling.

“ It is further established and ordayned by auctoritie aforesaid, that if any goodes whatsoever be pledged or put in pawne to any freeman or other dweller within this towne and not redeemed within one whole yeare and a day, then the partie to whom suche goodes are pawned may bringe the same before the Maior for the tyme beinge, to whom it shalbe lawfull to make a warrant in wrytinge signed with his hande unto two honest and indifferent men of this towne, by which they shalbe auc-



thorysed to estimate or vallowe the said goodes so pledged or pawned, and what pryce they sett thereon, that the partie in whos handes the same hath remayned the tyme aforesaid may at his election sell or convert them to his owne use. And if the pledge or pawne be of lesse vallowe then the some lent thereon, that yt may and shalbe lawfull to and for the morgagee to challenge the morgagor for the resydue, and yf the pledge be of greater vallowe then the some lent as before then the morgagee to answer the overplus unto the morgagor.

“James Linche Fitz Arthure, Maior; Stephen Kirowan and Thomas Browne, Bailives, in anno 1585: fol. 96.<sup>1</sup>

“Maisters:

Nicholas Linche Fitz Stephen,	Martin Ffrenche,
Gewan Faunte,	Dominick Linche,
Dominick Browne,	Peter Linche,
Pierres Linch Fitz Jo. Oge,	Robuck Ffrenche,
John Blake Fitz Richarde,	Nicholas Ffrenche.

“Memorandum: That on Michailmas day, beinge the xxixth day of September, in anno Domini 1585, in a Generall Courte and Counsaill then assembled: Yt was by the above Maior, James Linch, and the rest of his associates and combrethren then assembled, ordered, adjudged and decreede by the mocion and request of the saide Maior that Nicholas Linche Fitz George and Richard Bodkin shoulde for ever afterwards have and enjoye the places, vocacions, creditte and promotions of Baylives nexte after the Baylives which weare for the yeare of thafforesaid James Linches Meraltship: And that they, the said Nicholas and Richarde, and either of them, shall have, use and enjoye the function and callinge of Baylives in as large and ample manner state and condicion as any other can or may do which have suplyed the said office of Bayliship; and to succeed and followe in thoffice of Meraltship (if yt please God they be therunto called) the aforesaid Baylives.

“Yeoven the day and yeare above wrytten.

“JAMES LYNCH, Mayor.

“Memorandum: That on Lammas day, beinge the firste day of fol. [96 b].  
Auguste, in the yeare of our Lord God one thowsand fyve hondreth eightie sixe, in a Generall Courte and Counsell then assembled, yt was by Mr. James Linche Fitz Arthure, Maior, and ail the rest of his assocyates and combrethren then in open Courte assembled, ordred, determyned, concluded and generally decreed (by means and in consyderacion of an earnesteste requeste then publiquely made) that Richard Joyce and James Linch Fitz Harrie should from thenceforth for ever have, possesse, and enioy the credytt, vocacion, rompth,<sup>2</sup> promocion and callinge of Bayliefes, and have, use and for ever enjoye the same function, promocion and nominacion of Bayliefes in as full, large and ample manner, forme and condycion as any other shall can or may do which have or hereafter shall supply the said office of baylieffeship, without the contradiccion of any whatsoever. Yeoven at Galwey, the day and yeare above wrytten.

“JAMES LYNCH, Mayor.

“Memorandum: That in a Generall Assembly houlden at this her Majesties towne of Galwey, the first of August, anno 1586, dyvers and

<sup>1</sup> A leaf would appear to be deficient between [94] and 96. <sup>2</sup> Jurisdiction.

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sondrie persons of thinhabytantes of the said towne of Galwey most lamentably complayned how that they are contynually overburthened with cesse, taxe and tallage more than they in substance or wealth are hable to sustayne and beare. And albeit that they or any of them would be admytted to the office of Baylifeship or Meraltiship, yet neverthelesse by lawe nor consyence they ought not to be burthened more then their habillitie, notwithstandinge any auncyent custome heretofore used to the contrary, as by a former order sett downe by Sir Nicholas Malbie,<sup>1</sup> late Governour of this province of Connoght, and the Counsell of the same, ymportinge that no person or persons shoulde be charged with any cesse or otherwyse but accordinge his habillitie and not his callinge. Which order being grounded upon so good consideration, to the generall preservation of thinhabytantes of this Corporacion, for avoydinge and preventinge of any other auncyent or unlawfull custome to the contrary, the said Maior, Bayliefes and combrethren with one assent and consent have herby ordred, established and perpetually estatuted that no person or persons of thinhabytantes of the said towne of Galwey, of what degree or callinge soever he or they be of, shall from henceforth beare nor pay no manner cesse, tax nor tallage but acordinge his and their habillities of goodes and landes within the franchises and liberties of the said towne of Galwey; and that yearly; within xv dayes after Mychailmas, the Maior for the tyme being shall ympannell a jury of the best and consyonablest men of the said Corporacion to knowe every mans habillitie, that thereby the said cesse, tax and tallage may be duly devyded as to the said jury with thassistance of the Maior for tyme beinge shalbe thought good. Yt is further ordred and established that the common watch and ward, towne messengers, common masons and carpenters, smythes or other common workmen shalbe equally cessed upon every the said inhabytantes, yonge and ould, poore and riche, and that none that hath bene Maior or Baylief shall pay noe more therof then the yongest howshoulder in town beinge a free man. Fynally it is further established and estatutid that all common bargaynes or other generall profite, which shall come to the said towne of Galwey, shalbe devyded rateably upon the said inhabytantes accordinge as they and every of them shall beare cesse, taxe and tallage and not accordinge their callinge, as in tymes past hath bene accustomed.

"JAMES LYNCH, Mayor.

fol. 97.

"William Martine, Maior; Vallantine Blake and Marcus Linche, Bayliefes, in anno 1586:

"Maisters:

James Linche Fitz Arthure,  
Gewan Faunte,  
Dominicke Browne,  
Pieres Linche,  
John Blake Fitz R.,  
Martine Frenche,

Dominicke Linche,  
Pieter Linche Fitz M.,  
Robucke Frenche,  
Nicolas Frenche,  
Nicolas Linche Fitz St.

"Memorandum: That wheras certayne controversy depended betwixt the sargentess of this towne of Galwey and the porters of the same, concerninge the duties and customes of thinges transported and brought in at the severall gates of the said towne, the said sargentess clayminge the same as due to them, and the said porters alledginge the said customs so to be due to themselves: For appeasing of which controversy

<sup>1</sup> Lord President of Connaught, A.D. 1579-1583-4.

yt is by the Mayor, Bayliefes, and Combrethren ordred, decreed and herby perpetually estatuted that the severall porters of the severall gates of the saide towne shall have, levy and receive to their owne uses out of all kynde of cattle, hides and other goodes and merchandize (wherof custome is due) such duties and customs as of antyquytie hath bene accustomed; and lykewyse the said sargentess to have and receive all duties and customes due of right out of such wares, goodes and merchandize as shalbe by sea transported and brought into this said towne at the kay or strond and not otherwyse. Yeoven the xvth of December, 1586.

“WILLIAM MARTYN, Mayor.

“This indenture made at Galwey, the last of September, 1575, betwixt Nicholas Skerrett Fitz Edmond of Galway, yongman, merchant, of the one partie, and Manus O'Trehie, on the other partie, witnesseth that the said Manus hath sett himself a prentice or servant unto the said Nicholas for and duringe the tearme and space of seven yeares next and ymediatly ensuinge the date herof and fully to be complett and ended; the said Manus being bound as a true and faithfull prentice to do his said maisters service both farre and neare, both by night and day, he not usinge or frequentinge taverns of custome whordome or fornycacion, neither shall he plaie his said maisters goodes at tables, dyce, tennies, or any other unlawfull games, nor yet espowse maid, wyfe, or widdowe, without his said maisters lycence and consent duringe that tearme. Also, that he shall make trewe and just accompt and reckoninge to his said maister of all such goodes as he shall put him in trust withall, when and as often as his said maister shall call for the same. Also the said Nicholas covenanteth and standeth bounden by theis presentes to mayntayne and kepe upp the said Manus with meate, drinke, and cloth compotent for a prentice of his vocacion and callinge for and duringe the said tearme: and after the expiration therof, the said Manus to be free man and merchant, he havinge and receiveinge of his said maisters goodes ten poundes sterling as a partener for the space of fowre yeares, accordinge the custome, to say, after the expiration of that fowre yeares, Nicholas to have his ten poundes with the one halfendeale of all the goodes and gaynes had or gotten by the same, and Manus to have the other halfe of all the said gaynes without contradiction or exception. And, for performance of all and singular the contentes of this indenture, the parties have plighted their juramentes and put herunto their signes and seales interchangably, the day and yeare above wrytton.

“MANUS OTREHY his signe.—PETER FRENCH FITZ VALLANTYNE.

“GEWAN FAUNT, testis.—THOMAS SKERRETT FITZ EDMOND.—ALEXANDER DERMOTT, Publick Notary.

“Memorandum: That upon the vith day of May, 1581, the above named Manus Trehy was accepted, taken and received as a free man of this Corporacion, by vertue of the expiration of his prentiship (accordinge the above indenture) with the said Nicholas Skerrett, and by satisfaction of the some of xx.s. sterling unto me, William Martin, Mayor, to the use of the Corporacion (thaccustomed fees and dutie for any which so served out his yeares of prentiship to pay,) as by the texte therof, in tyme of Mr. Nicholas Linche Fitz Stephens Meralty, more at large appeareth. Whereupon we, the Maior, Bayliefes, and Corporacion do accept, take, and receive the said Manus Trehy as a freeman and merchant of this towne for ever, and his heirs of his body lawfully be-

fol. [97 b].

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gotten, they yealdinge and answeringe all watch, warde, taxe, tallage, and all other duties of right due and accustomed for freemen of lyke vocation and habyltytie to answeere and pay. Yeoven the day and yeare above wrytten.

“ WILLIAM MARTYN, Mayor.

“ VALENTINE BLAK, Bayliff.

fol. [98].

“ John Blake, Maior ; Walter Martin and Anthony Kirowan, Bailiefes, in anno 1587 :

“ Maisters :

William Martin,  
Gewan Ffaunte,  
Dominick Browne,  
Pieres Linche,  
Martin Ffrenche,

Dominicke Linche,  
Pieter Linche Fitz M.,  
Robuck French,  
Nicholas Linche,  
James Linche Fitz A.

“ Memorandum : That upon Michailmas day, beinge the xxixth day of September, 1587, in a generall Courte and Counsell then assembled, yt was by the above Maior, Mr. John Blake, and the rest of his associates and combrethren (by the mocion and request of the said Maior) ordered, adjudged and mutually with one assent decreed that Pieter Kirowan Fitz Dennis of this towne of Galway, merchant, should be taken in and received as a Bayliefe and one of the Counsell of the same towne and for ever afterwards and from thenceforth to have posses and enjoy the vocation, credditt, rompth<sup>1</sup> and promocion of a Bayliefe in all respectes next after Vallantyne Blake, whoe was Bayliel the former yeare under Mr. William Martin, then Maior ; and that the saide Pieter shall enjoy the same place, rompth and callinge of a Bayliefe in as good and ample manner state and condicion as any other person or persons whatsoever called to that function and to succede the saide Vallantyne Blake in other office hereafter as yt shall please God to call him to the same. Dated the daye and yeare above written.

“ JHON BLAKE, Mayor.

fol. [99].

“ Memorandum : That upon the fourth day of July, 1587, in a generall Courte and Assembly . . .<sup>2</sup> Maior, Bayliefes, and combrethren of this her Majesties towne of Galway, yt was [ordayned] edicted (and for thappeeing of a controversy then dependinge betwyxt the Bay[liffs] and certayne the towne merchantes concerninge thaveriges of certayne wyne [that] the Bayliefes had out of a ship of bargayne brought by the said merchantes) perpetually estatuted that the officers for tyme beinge (as the Mayor, Baylieffes, and Towne Clarke) shall have as they weare accustomed out of every bargayne their due portions of wyne, acquavytie, iron, salte and such lyke, and shall pay for the same all such subsidies customs and averiges as the merchantes which bringe the same bargayne shall pay, thaccustomed fee of attorneyship onely excepted. And further yt was by thaucthorityte aforesaide ordered and estatuted that any merchant or merchantes of this towne which by band obligatory or otherwyse stande bounde unto any other of the same in any some or somes of money and refusinge to make payment therof shalbe sworne before the Maior and officers for tyme beinge whether he or they so indebted have the value of that debt either in gould, silver, plate or any other moveable goods and cattles, and confessinge to have the same by vertue of that his or their oathes, shall presently pay and satisfy the credytor or credytors or elles remayne in cloase prison for the same

<sup>1</sup> Jurisdiction, office.

<sup>2</sup> MS. decayed.

without any priviledge or liberties; and he or they depoasinge not to have any such gould, silver, plate or other moveable goodes or chattles to satisfy his or their credytor or credytors, shall (as hath bene accustomed) geve a sufficient pawne or pledge by way of morgage under a scelated howse or tenement within the wales of this towne to countervayle twelve pence sterling out of every pound yearly as interest duringe such tyme as the said debt or eny parte therof shalbe behinde and unpaid. Yeoven the day and yeare above wrytten.

“WILLIAM MARTYN, Mayor.

“Memorandum: That upon the xxixth day of September, beinge fol. [996]. Mychailmas day, in the yeare of [our] Lord God 1586, in a generall Court and Counsell, then assembled, yt was by Mr. William Martin ordred, determyned, concluded, and generally determyned and decreed, that Marcus Athey and Nicholas Linche FitzWilliam should from thenceforth for ever have, posses and enjoy the credytt, vocacion, roompth, promotion and callinge of Bayliefes and have (lykewyse from thenceforth for ever) the use, function, and nomination of Bayliefes in as large and ample manner, forme, and condycion as any other shall, can or may do which have or hereafter shall, supply the said office of Baylieship, without the contradiction of eny whatsoever. Yeoven at Galwey the day and yeare above wrytten.

“WILLIAM MARTYN, Mayor.

“Memorandum: That the xxith day of August, this present yeare 1587, yt was agreede in open Assembly by us, the Maior, Baylyfea, Burgesses and Comons of this her Majesties towne of Galloway, that Christofer Leyns of Croboy within the county of Meethe, gentleman, should be of counsell with our Corporacion in all matters of lawe. In consideracion whereof, we, the said Maior, Baylyffes, Burgesses and Comons by comon consent in the saide Assembly, have graunted unto the said Christofer, during his naturall lyfe, one ann[u]ity of twelve shillinges current money of England per annum, for which alsoe we deliverid unto him a deede bearinge date the day and yeare afforsaide, which we did upon the surrender of a like deede formerly graunted by our predecessors unto Lucas Dillon,<sup>1</sup> nowe Knight and Chief Baron of her Majesty's Exchequer: For testimony and remembrance wherof we have caused this entry to be made in our booke and I, the Maior for the tyme being, have subscribed my name the said daye and yeare.

“WILLIAM MARTYN, Mayor.

“Memorandum: That upon the last day of July, 1587, yt was by the Maior and xii Aldermen agreed in their Assembly that none of the persons which by mocion, petition, or request have been brought in or hereafter shalbe brought in to have the rompth [an]d callinge of a Bayliief (not supplying and executinge the office of Bayliefes) [sha]ll not have neither place nor force of verdict in open court or other [spe]tiall place amongst the rest of the brethren untill such tyme as they [and e]very of them shall enter (in the towne recorde) sufficient suirties . . .<sup>2</sup> and buylde such worcke upon the towne wales or other the comon. . .<sup>3</sup> as the Mayor and fowre wardins for tyme beinge shall order . . .<sup>4</sup> upon them and every of them the said Bayliefes brought [in as afor]said. Yeoven the day and yeare above wrytten.

“WILLIAM MARTYN, Mayor.

<sup>1</sup> Sir Lucas Dillon was appointed Chief Baron of the Exchequer, Ireland, in 1569, and died in 1592.

<sup>2</sup>, <sup>3</sup>, <sup>4</sup>, MS. decayed.

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fol. [100].

"Further yt was ordred and decreed by thaucthorytie aforesaide, for avoydinge [of the] disorders and abuses commonly used in election of the towne Bayliefes yearly, that [the] election of the towne Bayliefes at Lamas yearly, as aforesaid, shalbe from henceforth made by the Mayor and twelve Aldermen for the tyme beinge, and not by the whole Courte and Counsell, as formerly hath bene used and accustomed. Yeoven the day aforesaid.

"WILLIAM MARTYN, Mayor.

"Also and moreover yt is ordred, and by a gennerall assent of the Maior, Bayliefes, and combrethren perpetually decreed and estatuted, that no manner of person nor persons of this towne, of what degree or callinge so ever he or they be of, which have to fearme for tearme of yeares any landes, tenementes, or howses of any other of the same towne, shall not alenat, lett nor sell his or their interest in the said landes, tenementes, or howses without the speciall lycence, good will and consent of the right owner or owners thereof, upon payne of xx. l., sterling, to the use of the Corporacion and the forfayture of his and their leases upon the said landes, tenementes, and howses unto the owners therof. without any grace. Yeoven the day afore wrytten.

"WILLIAM MARTYN, Mayor.

"Furthermore, it is ordred, decreed, and by thaucthoritie aforesaide perpetually estatuted that every Yongman<sup>1</sup> or other of this towne, of what degree or callinge soever he or they be of, which shall (by any other of the same towne) be put in credytt or trust with eny commiss-[ion] or goodes into eny foraigne contrie, shall presently after his or their comyng [in] to this said towne (whether by sea or by land) geve a trewe noate and bill of accompt unto such person or persons as so put him or them in commission or trust with eny goodes. This upon payne of forfayture of so much unto the credytor or credytors as the commission or goodes so sent doth amount unto. And if in case the person or persons so put in trust or commission should by that his or their noate or bill of accompt be founde faultie or unt[rue] in his dealinge with eny his credytor or credytors, that then he or they so found and prov[ed] culpeable to pay and forfaite to the credytors, without eny grace, ten pence sterling for every penny by him or them so concealed. And further yf in case the credytor or credytors of eny such commission or goodes should not within one twelvemonth and a day chall[enge] the partie or parties for his or their crymes or offences, that from thence forth it [shall] not be lawfull for them to make any such clayme challenge or demande for more. Yeoven the viiith day of August, 1587.

"WILLIAM MARTYN, Mayor.

fol. [100 b].

"[This Indentu]re made at Galwey, the laste day of Marche, anne Domini, 1568, betwixt William Martin, of the same, of the one partie, and Cornell Halloran, sonne to John Halloran, late deceased, of thother partie, witnesseth that the said Cornell, with the consent of his mother and freindes, hath, the said day and yeare, put himselfe a prentice unto the said William, to thende and for the tearme of seven whole yeares nexte after the said date fully to be accomplished and ended, duringe which tyme the said Cornell promyseth and byndeth him faithfully and truely to serve his saide master, taverns of custome not to haunte, and not to play at cardes or dyces nor eny other unlawfull games; sleepe he shall not out of his maisters howse without urgent causes; nor conceale nor waste any parte

<sup>1</sup> The "Young men" of the town in 1519 entered into an association, with the sanction of the Corporation. In 1611 they obtained a charter and various privileges, in consideration of which they were bound to keep watch and ward. Hist. of Galway by J. Hardiman, 1820, pp. 77, 212.

of his goodes over the vallow of fowretine pence by the yeare. And the said William promyseth and byndeth himself well and truly to instruct and teach his said servant in the scienc and intercourse of merchandize duringe the said tearme and honestly after the manner of a prentise to cherishe, mayntayne and kepe him with meate, drinck, lynnyne and wollen cloathes and all other comodyties nessessary and expedyent for his said callinge; and after the said tearme so ended without eny fraude, coveine or ympediment admynistred by the said apprentise to make him free as a brother and member of the merchauntes of the same towne and cause the same to be inrowlled in the courte, guyld and recordes thereof as apertayneth. In witnes whereof the said parties have interchangeably sett herunto ther signes and seales at Galwey aforessaid the day and yeare above mentioned.

"WILLIAM MARTIN.

"Beinge present at thensealinge and delivering of this deede we whose meanes are subscrybed: Dominick Martin, testis; Francis Martin, testis; John Athy, testis.

"Memorandum: That the xxvith day of Aprill, 1587, the above named Cornell Halloran was by the Mayor, Bayliefes, combrethren, and whole Corporacion, upon vewe of thaffore indenture of apprenticeship, accepted, taken, and received as a member and free merchant of the said towne, he his heirs and ofspringe of his body lawfully begotten for ever, and the same exemplyfyed unto him and his heirs under the common seale by the xii Mayors [peers] the day and yeare above wrytten as by the same bearinge that date more at large may appeare.

"WILLIAM MARTIN, Mayor.

"This Indenture made at Galway, the xxiith day of Nove[mber, in the fol. [100\*].  
yeare]<sup>1</sup> of our Lorde God 1587, and in the thertith yeare of the raigne of [our sovereign Lady] Elizabeth, by the grace of God Quene of Englande, Fraunce and Ireland, [Defender of the] Faithe, etc. betwixt John Martin Fitz William, of Galway, merchant, [of the one part,] and Terrollagh O'Dowan, of Bunowan, in the county of Galway, . . . [of the other part,] witnesseth that the said Therrollagh, by the assent and consent . . . brethern and ffrendes, hath become bounde prentize, like as by theis, . . . become bounde prentiz unto the said John Martin for and duringe the tyme and tearme of seaven years fully to be complete and ended next and . . . insuinge the date hereof, duringe which tyme the said Therrollagh promisseth, covenanteth, and graunteth to and with his said master to serve him truly, humbly, diligently, vigilantly and faithfully in all matters, services and all other . . . whatsoever wherewith he shalbe put in chardge by his said master aswe[ll] the trade of merchandiz as in all other service in the country or in all other forrein contries as well by day as also by night. The said Therrollagh further covenanteth, promisseth, and graunteth to and with his said master not onely to live chaste but also not marry duringe the said tearme without the co[n]sent of his said master and that duringe the said tearme he shall not play . . . at no unlawfull games and yf at seldom tymes he should chauce to play at lawful games, that he shall not excede in play not above the matter of . . ., that he shall not were no gorgious apparell, that he shall not be prod[igal] nor delicious neither in eatinge nor in drinckinge, that he shall not be . . . sleepe that he shall not in any wise disceere his said masters seacrettes . . . that he shall hide nor waste nothinge of

<sup>1</sup> Ms. decayed. The leaf does appear to have been included in the old numeration of the Ms.

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his said masters goodes . . . [On the] parte of the said John Martin, he doth promise, covenant and graunte [unto] the said Therrollagh his prentiz that yf the above promisses, covenan[tes and] grauntes be well and truly duringe the said terme observed, performed, an[d done] so as by the good testimony of his dealinges his master should thinck him [fit] to have freedom within this Corporacion that then the said John Martin . . . recompence of his said prentiz [h]is good service standeth hereby bound upon his [owne] proper costs and expences to be a meane to get him out the common seale of Galway to confirme his freedome in such sorte as others the like have had or that of right they should have, and for performance of all and singuller the premisses either to other byndeth their persons, goodes, chatles and landes, heires, executors and assignes present and to come to the cohertion of any Judge or Judges the matter shall require aswell on this side of the sea as beyonde, renuchinge<sup>1</sup> all manner ef exceptions contrary.

"In wittnes wherof the said parties have interchangeably set to their hand[s and] seales, and prayed the Publicke Nottary to register the same in his book of rec[ords] the year and day, quibus ut supra.

"Therrollagh O'Dowan.—Ex. Lawrence Wilson, Public Notary.

"Forasmuch as the above named Therrollagh O'Dowan have truly and faithfully served out his yeares in all respectes to my full contentacion, I have therefore with the assent and consent of my brethern and the customes and orders of this and all other good cittyes and townes graunted unto the said Therrollagh [for the] consideracion aforesaid his freedome of buinge and sellinge in grose and . . . of all merchaundiz and wares in as lardge and ample maner as any other . . . hath, ought or should have both within this Corporacion and also to and ffor . . . frome all other fforrain realmes, places and partes duringe his naturall life. And in like maner yf the said Therrollagh do espouse and marry with a free woman of this Corporacion that his yssue male by her lawefully begotten shalbe free as afores[aid], he alwayes and his said yssue payinge all taxe, tolladge and all other due[s such as] other his like should or ought to pay. Yeoven at Galway under our handes . . . day of August, 1594.

"Johne Ma[rtin]—Ex. Geffr . . ., Notary P[ublick].

"This admittance or free-making of Tirlagh O'Dowan is utterly disanuld and made voide by the wholl Coort houlden on Wednesday, being the third day of October, 1594.

"Andrewe Mareis, Maior; Patricke Kirowan and George Mareis, Bayliefes, anno Domini 1588:

"Maisters:

John Blake Fitz Harrie,  
Gewan Faunte,  
Dominick Browne,  
Pieres Linche Fitz John,  
Martin Frenche,  
Dominick Linche.

Pieter Linche Fitz Mar.,  
Robuck Frenche,  
Nicholas Linche Fitz St.,  
James Linch Fitz Ar.,  
William Martin.

"Memorandum: That upon Mychailmas day, beinge the xxixth day of September, 1588, in a generall Courte then assembled, yt was by the abovenamed Maior, Mr. Andrewe Marreis, and the rest of his associates and combrethren then assembled, ordred, adjudged, and generally de-

<sup>1</sup> renouncing.



creede (by the Maiors mocion and request) that Thomas Linche Fitz-Ambrose should for ever afterwards have, posses, and enjoy the place, vocacion, roompth, credytt, promocion, and callinge of Bayliefe next after Patrick Kirowan and George Marreis, which weare Bayliefes for the yeare of the said Andrewe Marreis his Meraltiship. And, further, yt was ordred by the foresaid Maior and his associates that the said Thomas Linche shall have, use and enjoy that function and callinge of a Bayliefe in as full, large, and ample manner, state, and condycion as any other shall, can or may doe which have supplied the office of Baylietship and shall succede and followe the said Patricke Kirowan and George Marreis in thoffice of Meraltiship as is accustomid. Yeoven the day and yeare above wrytten.

"ANDROW MAREYS, Mayor.—EX. LAWRENCE WILSON, Publick Notary.

"Richard Browne, Maior; Ollipher Kirowan and Peter Frenche Fitz. fol. 102.  
Vallantine, Baliefes, in anno Domini, 1589 :

"Maisters :

Andrewe Mareis,  
Gewan Ffaunte,  
Domynick Browne,  
Piers Linche Fitz Jo.,  
Martine Frenche,  
Domynick Linche,

Pieter Linche,  
Robuck Frenche,  
Nicholas Linche,  
James Linch Fitz A.,  
William Martin,  
John Blake Fitz H.

"Memorandum : That on Mychailmas day, beinge the xxixth of September, in anno Domini 1589, in a gennerall Courte then holden and assembled, yt was by thabove named Maior, Mr. Richard Browne, and the rest of his associates, combrethren, and burgesses then assembled, ordred, adjudged, and generally decreede and concluded, that Edmonde Colman and Domynick Bodkin should from thenceforth and for ever afterwards have, possess, supply and injoye the place, vocacion, rompth, credytt, promocion, and callinge of Bayliefes next after Ollipher Kirowan and Peter French Fitz Vallantyne; and that the said Edmonde and Domynicke, and either of them, shall have, use and injoye that function and callinge of Bayliefes in full, large and ample manner, state and condycion (in all respectes) as any other shall, can or may doe, which have supplied that office of Baylietship under any Maior, and accordingly shall succeed and followe the said Ollipher and Pieter French in thoffice of Meraltiship. Yeoven the day and yeare above wrytten.

"RYCHARD BROWN, Mayor.—EX. LAWRENCE WILSON, Publick Notary.

"This indenture, made the xth of June, 1577, betwixt William Hyl-lorlan, Yongman, and the one partie, and Edmond Ffrench Fitz Nicholas on the other partie, witnesseth that the said William hath sett himself as a prentice unto the said Edmond for tearme and during the tearme and space of seaven yeares next ensuinge the date hereof fully to be complette and ended. fol. 102b.

"The said William covenanteth and standeth bounden to serve his said master truly and faithfully duringe that tearme, in doinge his service both day and night as a prentice of his callinge and vocacion ought to doe. Neither shall he mispend, waste or lende his said Masters goodes, nor espowse wyfe, maid, or widdowe duringe that tearme without especiall lycence of his said Master. And that the said William shall not frequent or haunte taverns or ale houses, nor play his Maisters goodes at cardes, dyce, tables, or any other unlawfull games. Also the

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said William covenanteth and standeth bounden to kepe his Maisters secretes.

"Lykewyse the said Edmond for his parte is bound to kepe and maintaine the said William with meate, drinck and cloathes such as apertayneth to a prentice of his callinge and vocacion duringe that tearme of seaven yeares ; and, after the end and expiracion of that tearme, the said Edmond, his heires, executors, and assigns stand bounden to make the said William a free man and a brother amonge the Corporacion of the merchantes of Galwey only upon the said Edmonds only cost and charges. And for performance herof well and truly to be observed and kept on the behalf of the said William, he hath to this part of this indenture, remayninge in the custody of the said Edmond, put his hand and signe manuell, the day and yeare above wrytten.

"WILLIAM HALLORAN.—ALEXANDER DERMOTT, Public Notary.

"Memorandum : That upon the xviiiith day of June, 1590, the above named William Halloran was by the Maior, Bayliefes and combretheren upon vewe of thaffore indenture (in a Gennerall Assembly houlden the same day) accepted, taken, received, and made a free man and merchant of the said towne of Galwey, and his heirs of his body lawfully begotten for ever, they yealdinge and answeringe all watch, warde, taxe, tallage, and all other duties of right due and accustomed for free men of lyke vocacion and habillytie to answeere and pay. Yeoven the day and yeare above wrytten.

"RICHARD BROWN, Mayor.

fol. 103.

"James Linche Fitz Ambrose, Maior ; John Martin Fitz Patricke and Walter Frenche Fitz Nicholas, Bayliefes, in anno Domini 1590 :

"Maisters :

Richarde Browne,  
Gewan Ffaunte,  
Domynick Browne,  
Pieres Linch Fitz Jo.,  
Domynick Linch,  
Peeter Linch,

Robuck French,  
Nicholas Linch,  
James Linch Fitz Ar.,  
William Martin,  
John Blake,  
Andrewe Mareis.

"Memorandum : That in a Generall Assembly houlden at the Guild-hall of this her Majesties towne of Galwey, the viith of May, anno Domini 1591, by the Maior, Aldermen, Bayliefes, Burgesses, Comonalty, and all sortes of free men and inhabytantes of the same towne, yt was ordayned, established, enacted, concluded, and apointed of one common assent by the said Maior, Aldermen, Bayliefes, Burgesses, freemen and inhabytantes, that Richard Browne, of Galwey, aforesaide, Alderman, James Linch Fitz Arthure, of the same, Alderman, Ullicke Linch Fitz Edmonde, Mychaell Linche, Thomas Kirowan, Anthony Linch Fitz Thomas, Arthure Blake, Edmond Athey, James Linch Fitz Martin, Marcus Linche Fitz Martin, Walter Athye, and Marcus Blake, of the same, merchantes, shall with all convenyent speede taxe, cesse, devyde, and cutt<sup>1</sup> upon all the said Maior, Aldermen, Bayliefes, Burgesses, free men and inhabytantes equally and indifferently, according their severall goodes and chattles whatsoever and wheresoever and acordinge the cleare value of all their severall landes, tenementes, and heredytamentes within the saide towne, and the ffranchises and lyberties of the same, all and singuler the somme and sommes of money wherein the Corporacion of Galwaye aforesaide is lawfully indebted or bound to pay by deed or

<sup>1</sup> Exact or levy.

deedes perfected under the common seale or seales of the said Corporacion to any person or persons; and that Mr. John Lynch, gent[leman], the Gennerall Receiver and Chamberlayne of the said Corporacion, shall collecte, gather, levy, and receive by distres, suites, ymprisonment, and all other lawfull, ordynary or usuall meanes, all and singuler the severall somme and sommes of money that shalbe so taxed, cessed, devyded, and cutt upon every the said Maior, Aldermen, Bayliefes, Burgesses, free men and inhabytantes, and that the said some and sommes so collected, gathered, levied, and received as aforesaid, shalbe presently after the receipt therof satisfyed and paid unto all the said person and persons to whom the said Corporacion is indebted under their common seale or seales as aforesaid.

“JAMES LYNCH, Maior.

“Where the Corporacion of this, her Majesties towne of Galwey, hath fol. 103 b.  
bene and is indeabted to certaine persones of the said towne in divers soomes of money disbursed for the common profites and necessitie of the said Corporacion, which soomes being over greate to be at one tyme divided uppon thenhabitantes of the same towne, the Mayor, Baylifes, Burgesses and Comynaltie of the said towne have formerlie agreeede, ordayned, appointed, and enacted that, for the more easie payment of the said debtes, a custome and subsidy should be payed oute of all the wares and merchauntizes coming to Galwey aforesaid for, during so long tyme, and untill the money collected, gathered, and received, by vertue of the said custome and subsidy, should satisfie and pay all the deabtes of the said Corporacion, which custome and subsidie hath bene many yeares quietlie collected, gathered, and received accordinglie and a greate parte of the said deabtes by that meanes satisfied to the creditors. But, in processe of tyme, throwghe the favoure, tolleraunce, slacknes, and negligence of sonndery Mayors, and other officers of the said towne, a greate deal of the said custome and subsidy hath not bene collected, and much of the soomes collected was not employed in payment of the said Corporacions deabtes, to the greate discredite of the whole Corporacion, and hinderance of the said creditors. For remedie whereof, and for the more easie and spedie payment of the said deabtes, in a gennerall Assemblie holden at the Guild-hall of the said towne, the viiith of May, 1591, it was ordained, established, and enacted by the said Mayor, Aldermen, Baylifes, Bourgeises, Cominaltie, and all sorte of freemen and inhabitantes of the same towne, that certaine honest, sufficient, and indifferent persones of the same towne should with all convenient speede tax, cesse, divide, and cutt uppon the said Mayor, Aldermen, Baylifes, Burgeises, free men and inhabitantes, equally and indifferently, all and singuler the sommes of money wherein the said Corporacion is lawfully indeabted, as by the said statute recorded in the statute booke of the said Corporacion more at lardge appareth; wherein the said persones appointed for the said tolladge havinge longe tyme travaylled accordinge thentent of the said late statute, enformed the said Mayor, Bayliffes, and Cominaltie in a gennerall Assemblie that the said taxe and tolladge cold not be equally or certainelie made untill the severall sommes dewe to the said Corporacion for the saide subsidie and custome should be levied, taken upp, and received, so as the reste and remanaunt of the said Corporacions deabtes, whereunto the said soomes dewe for custome and subsidy do not amounte, should be certainelie knownen and accordingly taxed and devyded uppon the said Mayor, Bayliffes, Burgesses, and Comynaltie accordinge thentent of the said late statute.

“Therefore, in a gennerall Assemblie, holden at the said Guild-hall by the said Mayor, Bayliffes, Burgesses, and Comynalty, the xviiiith of

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fol. 104.

June, 1591, it is ordained, established, enacted and appointed by the said Mayor, Bayliffes, Burgeses, and Comynaltie, that the Mayor and Bayliffes of the said town and every of them may and shall arrest, take, and hold in prisone the bodies of all and singuler persone and persones specified and contayned in the severall bookes and registers of Lawraunce Wylson, Publique Notary, and Rowland Skerreth, and Mr. John Lynch, the Chamberline and Gennerall Receiver of the said Corporacion, to be endeabted and chardgeable to the said Corporacion for any somme or sommes of money of the said custome and subsidy untill every of the said persones so chardged shall fully satisfie and pay to the said Chamberline to the use of the said Corporacion all and singuler such sommes of money wherewith they and every of them are severally chardged in the said severall bookes and registers, and also may and shall arrest the goodes of all and singuler of the said persones chardged and indeabted as aforesaide founde within the said towne, and the ffraunches and liberties of the same, and the said goodes so founde shall sell at the best and greatest price they may, and the money of them received and had shall deliver to the said Chamberline to the use of the said Corporacion towards the paiement of there said deabtes and also that the said Mayor, Bayliffes, and every of them may and shall seize and extend <sup>1</sup> all and singuler the landes and tenementes of every of the said persones chardged or indebted for the said subsidy and the yssues and profictes of the said landes shall levie, take upp, and deliver to the said Chamberline untill the severall soomes wherewith every of the said persons be severally chardged to the Corporacion by the said book and registers, as aforesaid, shalbe fully levied, taken upp, satisfied, and paid, so as the said persons appointed for taxinge and dividinge of the said Corporacion deabtes may presently proceede to tax and divide the rest and remanant of the whole deabtes dewe upon the said Corporacion and that from thencefowerth the said custome and subsidy shall cease, be determynd and extinguished for ever.

"JAMES LYNCH Mayor.

"Memorandum : That upon Tewsdaye, being the third day of Auguste, 1591, in a gennerall Courte then assembled, yt was by Mr. James Linche Fitz Ambrose, Maior, and the whole Councell and combrethren of this, her Majesties towne of Galway, ordered and gennerally decreede that Arthure Blake Fitz John, Stephen Ffrenche Fitz Ffrancis, and James Linch Fitz Henry, the yonger, shoulde for ever afterwarde have, possess and enjoy the place, vocation, roomth, credytt, promotion and callinge of Baliefes, in degree and place next after John Martin Fitz Patrick and Walter Ffrench, Bayliefes for the yeare of the said James Linch Fitz Ambrose his Meraltiship. And further yt was ordred and gennerally decreede by thaucthorytie aforesaid that the said Arthure, Stephen, and James, shall have, use and enjoy that function and callinge of Bayliefes in as full, large and ample manner, state and condycion as any other shall, can or may doe which have supplied the said office of Baylship and shall succeede and followe (if God permytte them lyfe) the foresaid John, Martin, and Walter Ffrench in thoffice of Meraltiship, as is accustomed.

"Yeoven under the signe of the said Maior, the day and yeare above wrytten.

"JAMES LYNCH, Mayor.

"EX. LAWRENCE WILSON, Pub[lic] Notary.

fol. 104b.

"Memorandum : That yt beinge ordred and decreede by the Maior, Bayliefes, etc., the third day of August, 1591, (upon a bill exhibyted by

<sup>1</sup> Proceeding under writ styled of "Extent."

Arthur Blake, Stephen Ffrench, and others, for the roompth of Bayliefes, that not only they, but also eny other honest batchler and freeman of this Corporacion that would take that place upon him to answer and beare a Bayliefes porcion of all ymposicions should be accepted and received to the same: Yt is therefore hereby ordred and decreed that Richard Linch Fitz Walter shall for ever hereafter have, posses and enjoy the place, vocacion, roompth, credytt and calling of a Baylief, in degree and place next after James Linche Fitz Henry, the yonger, and shall have and use that place of a Baylief, in as full, large and ample manner, state and condycion, as eny other shall, can or may doe, which any way heretofore have supplied that office, and accordingly shall succeed and followe (yf God permytt him lyfe) the said James Linche Fitz Henry in thoffice of Meraltyskip as is accustomed. Dated at Galwey, the xvith day of September, 1591.

"JAMES LINCHE, Mayor.

"Ex. LAWRENCE WILSON, Pub[lic] Notary.

"Memorandum: That wheras yt beinge ordred (by the Mayor, Bayliefes and combrethren of this towne of Galwey, the third day of August, 1591, upon a bill exhibyted by Arthur Blake, Stephen French and others, for the places and roompthes of Bayliefes) that not only they but also eny other honeste batchlor, howshoulder and freeman of this Corporacion, that would take that place upon him to aunswere and beare a Bayliefes porcion of all ympocytions that might happen upon the said Corporacion, should be accepted and received to the same place: yt is therfore herby ordred and decreed by thaucthorytie aforesaid, that Arthur Linche Fitz Ambrose, of the said towne of Galwey, merchant, shall for ever hereafter have, posses and enjoye the place, vocacion, rompth, credytt and callinge of a Baylief, in degree and place next after Nicholas Linche Fitz Walter Reughe, and shall have, use and enjoy that rompth and place of a Baylieff, in as full, large and ample manner, state and condycion as eny other shall, can or may doe which any way hertofore have supplied that office and accordingle shall in his degree come unto the office of Meraltyskip, as is accostomed, God permytting him lyfe.

"Dated at Galwey, the xxth day of September, 1591.

"JAMES LINCHE, Mayor.

"Ex. LAWRENCE WILSON, Public Notary.

Memorandum: That, it beinge ordred and decreede by the Mayor, Bayliefes, and combrethren of this towne of Galway, the third day of August, 1591, upon a bill exhibyted by Arthur Blake, Stephen Ffrench and others, for the places and roompthes of Bayliefes, that not only they but also eny other honest batchler, howshoulder and freeman of this Corporacion that would take that place upon him to answere and beare a Bayliefes porcion of all ymposytions that might happen upon the said Corporacion, should bee accepted and received to the same place: Yt is therfore ordred and decreed by thaucthorytie aforesaid that Ambrose Linch Fitz James, of the said towne of Galwey, merchant, shall for ever hereafter have, posses and enjoy the place, vocacion, roompth, credytt and callinge of a Baylief, and, in all sortes, use and enjoy the same, in as full, large and ample manner, state and condycion, as eny other shall, can or may doe, which eny way heretofore have supplied that office, and accordingly shall, in his degree, come unto the office of Meraltship (God permyttinge him lyfe) nexte after Arthur Linche Fitz Ambrose.

"Dated at Galwey, the xxth day of September, 1591.

"JAMES LINCHE, Mayor.

"Ex. LAWRENCE WILSON, Pub[lic] Notary.

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"Willick Linche Fitz Edmond, Mayor; James Linch Fitz Martin and Pitter Blake, Bailliffes, anno Domini 1591:

fol. 106.

"Maisters:

James Linch Fitz Ambrose,  
Gevan Ffaunth,  
Dominick Browne,  
Dominick Linch Fitz John,  
Pitter Linch Fitz Markes,  
Robucke French,

Nicholas Lynch Fitz Stivin,  
James Linch Fitz Arthure,  
William Marten,  
John Blake Fitz Harrie,  
Andrewe Maires,  
Richard Browne.

fol. 106b.

"This Indenture, made the fifth of October, in the yere of our Lord God, 1591, betuixt Frances Martin, of Galway, in the countey of Galway, merchant, and John Omarkighan, sonne to Walter Omarkighan, late deceased, of thone partie, and Walter Athy of Galway, in the said conty, also merchant, of thother party, witnesseth, that the said Frances Martin and the said John have putt the said John with the said Walter Athy, as a prentice and servant, after the manner of a prentice and servant with him to dwell, from the feast of Mychellmasse last past before the date hereof unto the end and terme of seven yeares next ensuing fully to be complett and endid. By all which said tearme the said John Markighan, a prentice to the said Walter Athy, as his maister, well and faythfully shall serve, his secretts shall keepe, his commandements lawfull and honest every where shall do, fornicacion in the house of his said master nor without shall not comytt; hurtt to his said master he shall not do nor consent to be donn, but he to his power shall lett or anon his master warne; tavernes of custome he shall not haunt, but if it be about his masters bussines, there to be don. At dice, cards or any other unlawfull games he shall not play; the goodes of his said master he shall not waste, nor them to any man lende; without his master's licence, matrimony with any woman within the said tearme he shall not contract nor espouse; from his servyce nether by day nor by nyght shall absent or prolong himself, but as a true and faythfull servant ought to behave himself, as well in wordes as deed. And the said Walter Athy unto the said John Markighan, in the trade of merchandize the which he now useth, after the best manner that he can or may, shall teache and enfourme, or cause to be taught and enfourmed, as much as to the said trade of merchandise belongeth or in any wise apertaineth; in due manner to chastise him; fynding unto his said servant meat, drynk, linen, wolen hose, shoes and all manner thinges to him necessary or belonging for such aprentice to be founde.

"In witnes wherof, the said parties have interchangeably put hereunto their severall handes and seales the day and yere first above written.

"FRANCES MARTIN.—JOHN MARKIGHAN.

"Present at the sealing and delivery hereof we whose names are subscribed:

"R. DUACENSIS.<sup>1</sup>—JOHN LYNCH.—ELLIN MARTIN.—WILLIAM SKERRETT.

"Memorandum: That the fourth of August, 1591, it was ordred by a commen consent in the Court house or Tolsell of this her Majesties towne of Galway, that Domynick Lynche shall have yearly, as a stipend or fee, out of the custom of subsidy as long as he shalbe attending uppon the office, to saye, the somme of twenty shillinges, sterling.

fol. [107].

"Anno Domini 1592, annoque regni Regine [Elizabethhe] xxxiii.

<sup>1</sup> Roland Linch, Bishop of Kilmacduagh, A.D 1587-1625.

"Valentyne Freinche, Maior; John Lynch and Gefry Freinch, Ballives, anno predicto:

"Masters:

Ullik Lynche,  
Givane Fonte,  
Dominick Browne,  
Dominick Lynch,  
Peeter Lynch,  
Robuck Freinch,  
Nicholas Lynch,

James Lynch Fitz Arthur,  
William Martyn,  
John Blak,  
Andrew Mares,  
Richard Brown,  
James Lynch Fitz Ambrose.—13.

"Memorandum: That yt is ordred and perpetually decreede by the worshipfull Vallantyne French, Maior, and the rest of the jurie apoynted by the Courte in a gennerall Assembly houlden the iiii<sup>th</sup> day of August, 1593, for vewing of the waste plott of grounde next adjoyninge to Mr. Ullicke Linch his newe howse at the key dysyred by John Butler for erectinge a teument thereon, that the same plott of ground shall in sorte as yt nowe doth for ever lye waste and never hereafter be graunted to any private person for any kynde of use or comodytie. As also yt is ordred that the waste plott or parcell of ground lyinge without the lyttle gate neare the said gate towards Piers Linch Fitz John Oiges garden shall lykewyse for ever lye waste and not hereafter be granted to any person or persons from the Corporacion. Yeoven at Galwey the day and yeare above wrytten.

"VALENTINE FRENCH, Mayor.

"Where George Marreis made petytion to the Maior and brethren of fol. [107b]. this her Majesties towne of Galwey to have a howse roomth graunted him neare Piers Linch Fitz Johnnekes garden, without the lyttle gate, the consyderacion whereof wheathr yt was grantable (without prejudice, hinderaunce or danger to the safegarde and commonwealth of the whole towne) was in a gennerall Assembly houlden by the said Maior and brethren on Fryday the third of August, 1593, referred to the discretion of Vallentyne French, then Maior; Domynick Martin, Recorder; John Linche, Chamberlayne; Ullick Linche, Domynick Browne, Alderman; John Martin Fitz William, Rowlande Skerrett, Marcus Linch Fitz Nicholas, Thomas Kirowan, James Dorsey, Marcus Linch Fitz Stephen and John Skerrett of the same, merchauntes, who the next day after the said day, takinge vewe of the said place and consyderinge of the discomodytie and danger that aryseth and is incydent and hange of the howses that are already buylded neare the wales without, have concluded and agreed in one that not only the said George Marreis but also all others should for ever be forbidden to proceede to any buyldinge upon the premyses: and that in convenyent tyme, to say, at Mychailmas next a generall enquiry should be made of all the harmes, hurttes and dangers the body of the towne sustayneth and is lyke to sustayne through the said buyldinges already made without the towne as aforesaid, and that, upon presentment therof by good and discrete consyonable men, the same should be avoyded by breakinge downe of all such howses and closes accordyngly and especially all buyldings made without the said lyttle gate.

"VALENTINE FRENCH, Mayor.

"Memorandum: That in the said open Assembly yt was agreed, in the behalf of Marcus Linche Fitz Nicholas, with his own consent and request, that he should be paid of his debt upon the Corporacion out of the subsidy money to be allowed him upon his warrantes therein, so

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that the said Marcus shall forgoe his interest for the loane of his said debt and enter in bondes for the same on condycion he shalbe exempt and free from any contrybucion of any interest due to any other person for any former debt the towne oweth by obligations nowe of force, otherwyse yf incase the other credytors do gett interest for their money the said Marcus to have the lyke allowance for his forbearance.

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"Anno Domini, 1593.

"John Martin, Mayor; Robuck Martin and Arthur Lynche Fitz Jan-  
Bailliffes :

"Maisters :

Vallentin Ffrenche,  
Givan Ffaunte,  
Dominicke Browne,  
Dominick Linche,  
Peter Linche,  
Robuck Ffrenche,  
Nicholas Linche,

James Linche Fitz Arthur,  
John Blak,  
Andrewe Marres,  
Richard Browne,  
James Linche Fitz Am.,  
Ullick Linche.

Vol. 108b.

"Memorandum : That the day and yeare above written, in a generall Assembly holden in the Guyldhalle of this towne of Galway, Laurence Wilson, Courte-clerck or Publicke Notary of the said towne, did resigne and putt over his whole right, title and enterest in the said office unto Stephen Linche Fitz Thomas of the same; and made suite and petition unto us to accept and thinke well of his resignation and to graunte the same unto the said Stephen, together with all the fees, profittes and perquisytes to the said office incident and belonging: We, therefore, the Mayor, Balyffes, Burgesses, bretheren and Comonaltie of the said towne, of one wholle assent, for, and in consideracion of the good opynion which we conceive of the honest sufficiencie of the said Stephen, in the exercise of the said office, have, and by these presentes, do geve and graunte unto the said Stephen the said office of Towne Clearcke, or Publicke Notary, with the yearly fee of sixe poundes, sterlinge, together with all and singuller the freedomes, perquisites and proffyttes to the same belonging or in anywise appertayning in as lardge and ample maner as the said Laurence or any other heretofore exercising the said office had or ought to have the same. To have and to hold the said office, with all and singuller thappertenances aforesaid, to the said Stephen for and duringe his good behaviour. And yt is likewise agreed and consented by us, the Mayor, Bailiffes, and bretheren aforesaid, that the premisses shalbe conveyed and sufficiently assured unto the said Stephen under the common scale of the saide towne. And the said Stephen then in our presence did take his corporall othe, upprightly, truly and ffaithfully to exercise the said place and accordinge to his with and skylle to behave and demean himselfe therein loyally to her Majesty, [and] faithfully and truly to the Corporacion aforesaid in all pointes. Die et anno quo supra.

"Memorandum : That, xvth of July, 1594, in a generall Assembly it was agreed and concluded by the Mayor and brethren, that none of the contrey people, except such as shalbe of her Majesties retynues in wadges and garrisons shall not be suffered to weare any weapons during their aboade within this towne, but leave the same weapon either with the porters or in their lodgings, in sorte of ancient tyme accustomed.



"Anno Domini 1594.

"Galway, xxix Septembris, 1594.

"Ronalde Skerrett, Mayor; and Piers Linch Fitz Johneck and Patrick Linch Fitz Ullick, Bailliffes: fol. [109<sup>1</sup>].

"Masters:

John Martin Fitz William,	James Linch Fitz Arthur,
Givan Faunte,	John Blake Fitz Henrie,
Dominick Browne,	Richarde Browne,
Dominick Linch,	James Linch Fitz Ambros,
Peter Linch,	Ullick Linch,
Robuck Ffrench,	Vallentyne Ffrench.
Nicholas Linch,	

"Galwey, the xviith day of July, 1595.

"This daye enformacion beinge made by Geffrey Browne and Peeter Oge Ffrench Fitz Peter of the same, merchautes, before us in open Court and generall Assemblie, that they beinge aucthorized by the Corporacion of the said towne for bringinge towards the necessary provision of the same such stoare and quantity of powder and match as they might conveniently, and having brought the same to the value of an howndreth and odd poundes sterling or thereabouts, are as yet behynd of the payment thereof at the handes of the said Corporacion, beinge bounde to pay theyre credyttors at Dublin, at or by the last of this moneth in danger of forfeitinge double the soome in baundes of staple, and humblye soughte us remedy in that behalfe: Uppon the which request and suit made for the speedy dispatch and payment of the said money, yt is ordered, established and ordeyned by the body of the wholle Corporacion Mayor, Baylyffes, Burgesses, and combretheren of the same that Rowland Skerrett, nowe Mayor of the same towne, shall see the said soomme payd out of the subsidy money groweing to the said towne and shall with all convenient speede see the same subsidy duely levyed, reared and taken upp of such which of the said towne do owe any parte or parcell thereof either by imprisoning [of] theyre bodyes or otherwyse as to his owne good discrecion shalbe thought meete and convenient without any respect of persones beinge aucthorised theyre Generall Receivour for lyke pu[rposes] for this present yeare.

"Yeoven the day and yeare above written.

"ROLAND SKERRETT, Maior.

"Galwey, xxix Septemberis, 1595.

"Marcus Lynche Fitz Nicholas, Mayore; Thomas Lynche Fitz- fol. 111.  
Dominycke and Gregorie Frenche, Baylyfes:

"Maysters:

Rowland Skerrett,	James Lynche Fitz Arthure,
Givane Fannthe,	John Blake Fitz Henry,
Domnyck Browne,	Richard Browne,
Domnyck Lynche,	James Lynche Fitz Ambrose,
Peeter Lynche,	Ullick Lynche,
Robuck Frenche,	Valentyne Frenche,
Nicholas Lynche,	John Martin Fitz Williame.

"Galwey, xxi February, 1595[-6]:

"Coram Marco Lynche, Mayore, et Domnycko Martyne, Recordatore:

"Thomas Omvylen, mercator, admissus est ad franchisias et libertates

<sup>1</sup> The numeration of this leaf in the Ms. has been lost through decay. The leaf which follows it is numbered 111.

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hujus ville, quia implevit terminum cum Patricio Lynche, libero homine,  
pro [fine] . . .<sup>1</sup>

(In margin : "Domnyck Martine, first Recorder of Gallway, in which  
office he continued thirty (*sic*) yeares."<sup>2</sup>)

"Galwey, xxix September, 1596.

fol. 112.

"Oliver Oge Frenche, Mayor; Peeter Oge French Fitz Peeter and  
William Lynche Fitz Peeter, Bayliffes :

"Maysters :

Marcus Lynche Fitz Nicholas,  
Givan Fannthe,  
Domnyck Lynche,  
Peeter Lynche,  
Robuck Frenche,  
Nicholas Lynche,  
James Lynche Fitz Arthour,

John Blake,  
Richard Browne,  
James Lynche Fitz Ambrose,  
Uillick Lynche,  
Vallentyne Frenche,  
Rowland Skerrett.

[Galwey,] xxix September, 1597.

fol. 118.

"Anthony Lynche Fitz Marcus, Maior; Patrick Kirwan and Andrewe  
Blake Fitz Patricke, Bailliffes :

"Maisters :

Oliver Oge French,  
Gevan Fonnte,  
Dominick Linch,  
Peter Linch,  
Robuck French,  
Nicholas Linch,  
James Linch Fitz Arthour,

John Blake Fitz Henrie,  
Richard Browne,  
James Linch Fitz Ambros,  
Uillick Linch,  
Vallentyne French,  
Roland Skerrett,  
Marcus Linche.

xxix September, 1598 :

"Coram Antonio Linche, Maiore ville de Gallway, et sociis suis :

"Memorandum : That upon Mychelmas day, being the xxixth day of  
September, 1598, in a gennerall courte then holden and assembled, yt  
was by the said Mayor and the rest of his associates, bretheren and  
burgesses, then assembled, ordered, adjudged and generally decreede and  
concluded that Richarde Skerrett Fitz . . .<sup>3</sup> should from hence fourth  
and for ever afterwarde have, possesse, suply and en[joy] the place,  
vocation, rome, credit, promotion and callinge of a Bailiffe . . . after  
Patrick Kyrwan Fitz Edmonde and Andrew Blake Fitz Patricke, and  
that [the] said Richarde shall have, use and enjoie that function and  
calling of a Bail[iffe] in as full, lardge and ample maner, state and con-  
dicion, in all respectes, as . . . shall, can or may do which have  
supplied that office of Bailshippe under . . . and accordingly shall  
succeede and followe the said Patrick Kyrwan and An[thony] in the  
office of Mayoraltishippe, acordinge the custome of the said t[owne] of  
Galwey. Yeoven the day and yere above written.

"ANTHONY L[YNCH], Mayor.

"EX. GEFFREY MARTIN, Publicke Notary.

<sup>1, 3</sup> Ms. decayed.

<sup>2</sup> Damian Pecke was appointed Recorder in 1611 (*see* pp. 462-64), and held  
that office in 1618, *see* p. 468. *See also* History of Galway by J. Hardiman, 1820.  
p. 230.

[Galwey,] xxix September, 1598.

"Nicholas Kirwan Fitz Denis, Maior; Marcus Blake and Patrick Blake,  
Bailliffes, anno Domini, 1598:

fol. 114.

"Maysters:

Anthony Lynche Fitz Marcus,	Ullick Lynche,
Gewan Fannte,	Valentyn Frenche,
Peeter Lynche,	Rowland Skerrett,
Nicholas Lynche,	Marcus Lynche,
James Lynche Fitz Arthour,	Oliver Oge Frenche.
James Lynche Fitz Ambrose,	

"Galwey, 7 August, 1599.

"Coram Nicholao Kirowan, Maiore, et sociis suis:

"Nicholaus Craddock, mercator, admissus est ad franchisias et libertates hujus ville, quia implevit terminum cum Robucko French, libero homine, pro fyne xx.s. sterling.

"Galwey, xxvii die Septembris, 1599.

"Coram Nicholas Kyrvane, Mayore, et sociis suis:

"Memorandum: That the day and yeare aforesaid, in a Gennerall Assembly holden by the said M[ayor], Bayllyffes, Burgesses, and Comonalty in the Tolse[1] of the same, it was agreed uppon by [the] said Mayor, Bayllyffes, and bretheren of one whole assente that William Lynche Fitz Martyne, [and] Edmonde Athy, of the same, merchantes, should from hencefoorth and for ever afterwarde have, possesse and enjoye the place, vocation, roome, creditt and callinge of Bailliffes next a[fter] Markus Blake and Patrick Blake, and that the said William Lynche and Edmond Athy have, use and enjoye that function and callinge of Bayllyffes, in as lardge and ample [a] state and condicione, in all respectes, as any other shall, can or may doe whiche have [supplied] that office of Ballishippe under any Mayor, and accordingly shall succede and followe Patrick Blake and Markus Blake in thoffice of Meraltyshippe, according the custom of the towne of Galwey.

"Yeve the day and yeare aforesaid.

"NICHOLAS KIRWAN, Mayor.

"Galwey, xxix September, 1599.

"Mychell Linche, Mayor; Christopher Linche Fitz Richarde and Patrick Frenche Fitz Olipher, Bailliffes: fol. 115.

"Maysters:

Nichollas Kirwane,	Ullick Linche,
Gewan Ffounte,	Vallentyn Ffrenche,
Peter Linche Fitz Markus,	Rowlland Skerrett,
Nichollas Linche Fitz Stephen,	Markus Linche Fitz Nicholas,
James Linche Fitz Arthour,	Olyver Oge Frenche,
James Linche Fitz Ambros,	Anthoni More Linche."

"Villa Galwey, decimo Julii, anno Domini 1600: Coram Michaelē Lynch, Maiore, Christophero Lynch et Patricio Ffrench, Ballivis ejusdem ville, et sociis suis:

"Johannes Quirke, mercator, admissus est ad franchisias et libertates hujus ville, quia implebat terminum cum Christophero Bodekyn, libero homine, pro fyne xx.s. ster.

"Villa Galwey, xxii. die Julii, 1600: Coram prefato Maiore, Ballivis, et sociis suis:

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"Jacobus Cunningham, mercator, admissus est ad franchisas et libertates hujus ville, quia implebat terminum cum Thoma Skerret, libero homine, profyne xx.s. ster.

"Villa Galwey, primo Augusti, 1600: Coram prefatis Maiore, Bailivis et sociis suis.

"This day, enformacion beinge made and moved, in open courte, by certein of the bretheren, of the yminent loss gennerally all the Corporacion doe dailly sustain for want of the administracion of justice in the counties and shyers of the province abroad by meanes [of] thobstinacie, willfull disobedience, myere<sup>1</sup> lienge<sup>2</sup> and disceite of the countrie gentlemen and enhabitantes, that by no meanes there cann no remedy be had against them for the recoverie of due d[ebts],<sup>3</sup> muche less of any robberies or spoiles; neverthelesse, uppon the repaier of them to this t[own] of Galway, [they] are so dayly suported and uppholden by the Mayor and his associates [that no] justice can be ministred uppon them. the Mayor ordinarily grauntinge to every of them so . . . his worde and protection to retowrn saulfe without any molestacion, the countrie enhabitautes, v[oid] of all charitie, litle regardinge theire dutie to God, by that meanes makinge a gaine of the goodes of the poore merchantes and other thenhabitantes of this Corporacion, to the great hinderaunce of a greate sorte of the neighbors, humbly craveinge a reformation of them: For remedy whereof it is gennerally ordeined and established by the Mayor, Balliffes Burgesses and Comonaltie of the Corporacion that noe Mayor, Balliffe, nor any other the towne officer or magistrate, shall hencefoorth or any tyme hereafter support, uppholde, mayntein or passe any such woorde, proteccion or saulfe-conducte to any of the countrie enhabitantes of what qualitie soever against any lawefulle or due debte of any of the neighbours, whereby they might be hendered the course of justice in recovery of theire due, and also such woordes, proteccions, and saulf-conductes so geven to be voyed and noe effecte, any priviledge, libertie, oe auctoritie to the contrary notwithstandinge. And if, uppon the contrary, the Mayor or any other officer shall refuse or deny thadministration of justice or contradict this statute, then the partie greved by the tenor hereof to have his remedy against the said officer, and may in any courte or courtes lawefully sue and recover his debt and domadges against the officer, as yf he himself were principall in the debte, any act to the contrary whatsoever notwithstandinge.

fol. 115b.

"Further, where the xxii<sup>th</sup> of January, anno Domini 1486, it was ordayned and established by Dominick Lynche FitzJohn, then Mayor, Richard Marres and Geoffrey Blake, Bailliffes, and whole Counsaill of this towne—<sup>4</sup>

fol. 116.

"Villa Galwey, xxix September, 1600: Frannces Martin, Mayor; Marcus Lynch Fitz Martin, Edmond Lynch Fitz Pyers, Baylieffes:

"Maysters:

Mychell Lynche.

Gyvan Faunthe.

Peeter Lynche Fitz Marcus.

James Lynche Fitz Arthour.

James Lynche Fitz Ambrose.

Ullick Lynche.

Valyntyn Frenche.

Rowland Skerrett.

Marcus Lynche Fitz Nicholas.

Oliver Oge Frenche.

Anthoney More Lynch.

Nicholas Kirowan.

fol. 117.

"Christopher Lynch, Mayor; Robert Blake and Nicholas Lynch, Bailliffes: September xxix, 1601.

"List of "Maysters."

<sup>1</sup> Absolute, downright.

<sup>2</sup> lying.

<sup>3</sup> Ms. decayed.

<sup>4</sup> Remainder of page is blank in the Ms. The act referre to was probably that given, ante, p. 385, under A.D. 1486.

## "Statutes :

"Memorandum : That the xvth day of the moneth of March in the above yeare in a Gennerall Assembly holden by the above Maior, Bailliffes and all the rest of the Aldermen and cembrethethrine of this her Majesties towne of Gallway, in the Tollsell or Court-howse of the same towne, with one gennerall consent (for divers respectes and sundry good consideracions them movinge, tendenge to the better administracion of justice from tyme to tyme to be kept and exercised in the same towne), have by theis presentes agreed and for evermore perpetuallie estatuted that any person of the same towne which did beare the office of Maioraltishipp or Baillifshipp, assistinge the Maior or Bailliffes for the tyme being in gevinge judgement betweene partie and partie, either in the said Tollsell or in any other place whatsoever within the liberties of the same towne, shall not from hensfoorth be taken, accepted, or allowed to be bounde surtie for any person or persons at any tyme that he or they shalbe so associatinge or assistinge the Maior or Bailliffes, for the tyme beinge, for avoydinge and abollishinge of the former corrupt order heretofore accustomed contrarie to this statute. And yf any Maior or Bailiffe hereafter should receave any that have beene in office as aforesaid surtishipp, countrarie to the true meaninge thereof, that any such Maior or Bailiffe so offendinge shall pay the contentes of such surtishipp promised, without any respect of grace, and the partie which he receaved surtishipp to be clerely dischargd.

"The statute was also made in the tyme of John Blake Fytz Richard [h]is Maioralty [A.D. 1578-9].

"James Dorsey,<sup>1</sup> Mayor ; Robert Blake and Nicholas Dorsey, Bailliffes ; fol. [118]. September xxix, 1602.

List of "Maisters."

"Memorandum : That, the daie and yere aforesaid, thabovenamed Mayor and Baliffes, with the whole assente and consente of the whole Corporacion, have elected and chosen Nicholas Linche, Fitz-Jonneck, and Arthour Bodkin, of Galwey, merchauntes, Baliffes, in as lardg and ample manner as Domynicke Linch Fitz John Androw, with the consent his cembretherin hath elected Marcus Frenche Fitz John.

"Memorandum : That the xxiii day of August the said Christofer fol. [118b]. Lynch, Mayor, and his associates have ellected and chosen Roberte French Fitz Nicholas, of Galway, marchant, to be Balliffe of the said towne of Galwey from hencefoorth next after Robert Blake Fitz Walter Lea and Nicholas Dorsey, and that the said Robert shall have use and enjoye that function and office of Balliffe in as lardge and ample manner in all respectes as any other shall, can or may doe which have suplied that office of Ballishipp under any Mayor, and accordingly shall succeed and follow the said Robert Blake and Nicholas Dorsey in the office of Meraltishipp accordinge the custome of the said towne of Galway. Yeven under my hand, the day and yeare above written.

CHRISTOFOR LYNCH, Mayor.

"Marcus Linche Fitz Steephen, Mayor ; Martin Galdy Linche and fol. [119]. Olyver Martin, Baylyfes, 1603.

List of "Maisters."

<sup>1</sup> In margin : "Memorandum : That the xiith of June, being Whitsunday, thabove yeare James Dorsey, Mayor, departed out of this world and the same verie day in a gennerall Assembly then holden by the Aldermen and whole Corporation have with one assent and consent elected and chosen the late Maior, Mr. Christofer Lynch Fitz George, to be Maior of the said towne of Gallwaie untill Mycharlmas day next."

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"Marcus Frenche Fitz John, Mayor; Martin Fonnte and Christopher Blake, Baylyfes, 1604.

List of "Maisters."

fol. 120.

"Villa Galvie, decimo die Septembris, 1605.

fol. 120b.

"Memorandum: That the day and yeare afforesaid thabove-named Mayor and Bailliffes, with the whole consent and assent of the whole Corporacion have elected and chosen Stiphen Linch Fitz James Fitz Ambrose, Anthonie Linch Fitz James Fitz Ambrose, Fraunces French Fitz Pitter, Patrick French Fitz George, Robert French Fitz Pitter, John Bodkin Fitz Domnick, as Bailliffes, in as large and ample manner as Dominicke Linch Fitz John Andrewes, with the whole consent of his combretheren, hath elected Marcus French Fitz John.

fol. [121].

"John Skerrett Fitz William, Mayor; Geoffrey Lynch Fitz Domynÿcke and John Lynch Fitz Markus, Baillives: Septembris [xxix.] anno Domini, 1605.

List of twelve "Aldermen."

"Statutes:

Memorandum: That the fowrth of October, the above yeare in a Generall Assembly holden in the Tollshell or Courte-house of Gallwaie aforsaid, the above Mayor, Baillives, Aldermen and whole Corporacion with one gennerall consent have agreed and allowed that from hencefoorth for evermore everie freeman that is in the said towne of Gallwaie that be marchannte or that hereafter shalbe admitted to be marchaunte and dwellinge in the same towne, keepinge crock and panne and payenge tax, talladge and all other dueties accostomed in the said towne of Gallwaie, accordinge their abilities, shall have his and their voice both in electenge of officers yearely, accordinge coostome, and also in all gennerall matters as shall happen to twitch<sup>1</sup> the common chardge of the said towne and Corporacion from tyme to tyme, notwithstandinge that such person or personnes have not borne office of Mayoraltie or Baillishipp in the said towne. Yevin the day and yeare above written.

JOHN SKERETT, Mayor.

fol. [122].

Edmonnde French . . . .<sup>2</sup> Mayor; Peeter Lynche . . . .  
Pierse Lynche Fitz Jonick . [Anno] Domini, 1606, Septe[mbris xxix.]  
List of Town Council.

"Galwey tertio die Octobris, 1606.

"Memorandum: That . . . . holden by the . . . .  
Gallwey aforsaid . . . with one gennerall . . . thabove named  
. . . presente yeare of . . . choose elect . . . contradic-  
tion . . . tofore (and the . . . divers inconven . . . could  
not fitt . . . a Deputie Bailiffe by and with our . . . anie tyme  
as aforsaid by him . . . that ever was appointed by anie . . .  
custome here holden haveinge . . . and callinge before any other  
the . . . Yeaven the day and yeare a[bove written].

fol. 123.

"Richard Martin, Maior; Martin Dorsey and Robert Martin, Baillives, in anno Domini, 1607, Septembris xxix.

List of "Masters."

"Statutes.

"Apud Theolonium ville de Gallway, per Maiorem, Ballivos, Burgenses et Communitatem ville de Galiway predictae, die Mercurii, vii. Septembris, anno Domini 1608.

<sup>1</sup> Touch.

<sup>2</sup> MS. defective.

"It is ordered, inacted, established and confirmed by the Maior, Baylives, Burgesses and Communitie of Gallway aforesaid, in this present Assembly gathered together, with mutuall assentes and consentes, that the Warden and Viccars of the Kinges Colledge of Saint Nicholas church at Gallway, for tyme beinge, nor theire successors, shall not bargayne, alliene nor sell, give, graunt, demyse nor inlease nor to farne let for tearme of yeares nor otherwise, any manner of landes, tenementes, teithes, rentes, or other hereditamentes or revenues or livinge whatsoever that doth belong or in any wise appertaine to the said Colledge, or which it doth owne or ought to have in right of the said house and Colledge church or any other way noe longer nor for noe more tyme than for one whole yeare. After expiration of which one yeare, the next Warden to have all the revenues and livinges of the said Colledge.

"And if the Warden and Viccars, or any of them for tyme beinge, shall or will, contrarie to this stattute, sette, lette, or demise, give, graunt or sell, or otherwise dispose or make away, any of the livinges or revenues pertayning to the Colledge aforesaide or any of the premisses or any parte thereof for any longer tearme or tyme than for one yeare as aforesaide, it is further ordred and enacted that any person or persons so doinge, contraire to this stattute, shalbe for ever after put forth, expulsed and removed out of the said Colledge house and church, as an unprofitable member, and also shall forfeyte to the common purse of the same twentie poundes sterling.

"It is likewyse ordered, inacted and established that if any of the inhabitantes of this towne of Gallway shall bargayne or covenante with the said Wardein and Viccars, or with any of them, for anny of the teithes, livinges, or other revenues of the said Colledge for any longer tyme or tearme than for one yeare, that he or they that doe so bargayne or buy, or take any such teithes or other revenues for any longer tyme, shall forfeyt and loose his lease or graunte of the same, and the thinge or thinges so bought or solde, and also the somme of twentie poundes sterling of his own proper goodes, for the use of the common purse of the same. fol. 123b.

"It is also ordred and inacted that, for the more assurance of the true performance of the statute which hitherunto hath beene neglected, abused and not observed, the common seale and pattente of the said house and Colledge shalbe fourthwith put in keepinge in the common chest of the towne, and that all former leases, grauntes, bargaynes, salles or gyftes made or don by any of the Wardens or Viccars heretofore of anny the premisses or any part or parcell thereof to any person or persones whatsoever, shalbe for ever hereafter disannulled, stand voyde and of noe force nor effect.

"Styphen Kirovan, Maior ; Martine Dorsey and James Oge Dorsey, fol. 124.  
Bailliffes, in anno Domini 1608, Septembris viii :

"Vivat Rex."

"Maisters—13.

Richarde Martine.  
Edmonde French Fitz Robert.  
Ullick Lynch Fitz Edmond.  
Marcus Linch Fitz Nicholas.  
Olliver oge French.  
Michaell Lynch.  
Christopher Linch Fitz George.

Marcus Linch Fitz Stiphen.  
Marcus French Fitz John.  
John Skerrett Fitz William.  
Olliver Browne.  
Thomas Browne.  
Vallentine Blake.

"Floreat Respublica.  
Valeant Galvanienses."

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"Memorandum: That the day and yeare aforesaid theabovenamed Mayor and Bailiffes, with the whole assent [and] consent of the whole Corporacion, have elected and chosen Richard Kirvan Fitz Stiphen, of Galway, merchant, Bailiffe, in as large and ample manner as Dominick Linch Fitz John Andrew. with the consent of his bretheren hath elected Marcus French [Fitz] John.

"STEPHEN KYROWAN, Mayor.

fol. 125.

Olipher Browne,<sup>1</sup> Mayor; Nicholas French and Domyntick Browne. Bailiffes, September xxixth anno Domini, 1609.

List of Aldermen.

"Memorandum: That in a Gennerall Assemblie holden in the Towlsell or Courte house of Galway the said viiith day of Januarie. thaboue yeare, by the Aldermen and whole Corporacion therof, Thomas Browne Fitz Dominick, was, by gennerall consent and most voice, fined in the soome of 100*li* sterling, and disabled<sup>2</sup> to be ever hereafter Mayor of the said towne, by reason of his contempt in despising and putting off the office of Mayoraltie, being ellected for this yeare; and the next immediate Mayor succeeding to putt the same in execucion.

fol. 125b.

"Memorandum: That in a Gennerall Assemblie holden in the Towlsell or Courte-housse of Galwaye, the said viiith daie of Januarie, thaboue yeare, by the Aldermen and whole Corporacion thereof, Thomas Founth was elected and chossen Balliffe in as lardge and ample manner as Dominicke Linche Fitz John Androwe, with the consent of the bretheren hath elected Marcus French Fitz John, etc.

fol. 126.

"Richard Bodikin, Mayor; Patricke Martin and Christopher Bodikin, Sherriffes, xxix die Septembris, anno Domini, 1610.

List of Aldermen.

"The towne made a county this yeare, 1610.

"Memorandum: That the day and yeare aforesaid thabovenamed Maior and Sheriffes, with the whole consent and assent of the Corporacion, has elected and chossen Charles Nolane, Anthony French Fitz Nicholas, Davy Bodkyne, Anthony Darsy, and Marcus Bodykyne Fitz Richarde, of Gallway, merchantes, Balliffes, in as lardge and ample manner as Domicke Lynch Fitz John Andrew, with the consent of his bitherne hath elected Marcus French Fitz John, etc.

"Memorandum: That the xviiiith day of Decembere, in [1610] the eighth yeare of the prosperous raigne of our Sovereigne Lord, Kinge James, by the grace of God, of Englande, Fraunce and Irelande, and of Scotlande the fower and fortith, the towne was made a countie and the charter was confirmed by his Majestie with divers further additions, inlardgmentes and privldges which heretofore we hade not, as by the said confirmacione, datede as aforsaide, appeareth. And the same yeare Damiane P[ecke], Esquyre, was, by consent of the whole Corporacion, elected Rec[order] of this towne and his fee augmented.

fol. 126b.

Memorandum: That in a Gennerall Assemblie holden by the Mayor, Shiriffes, Burgesses and Comonaltie of his Majestie's towne of Galwey in the Towlsell or Courte house therof, the xxiiiith day of March, 1610 [-11], by gennerall consent and most voice, Daniell Barnes, gentleman,

<sup>1</sup> In margin: "Memorandum: That the eighth day of Januarie, the above yeare, Oliver Browne, Mayor, was deposed of the said office by direction from the State, and the same very daye in a Gennerall Assembly then holden by the Aldermen and whole Corporacion [they] have with one assent and consent ellected and chosen Ullick Linch to be Mayor of the said towne of Galwey untill Michaelmas next." The deposal was in consequence of the Mayor's refusal to take the oath of supremacy.

<sup>2</sup> This proceeding was in consequence of a similar refusal in relation to the oath of supremacy.



was admitted to the franchise and liberties aforesaid, pro fine, etc., left to the discretion of the Shirriffe Rodkin and Peter French, Esquier.

"Memorandum: That in a Gennerall Assemblie holden by the Mayor; Shirriffes, Burgesses, and Comonaltie of his Majestie's towne of Galway in the Towlsell or Courte-house therof, the xxiiiith day of Aprill, 1611, by generall consent and most voice, Edward Carpenter, merchaunt, was admitted to the franchise and liberties aforesaid, pro fine, etc., left to discretion of the Mayor and Sheriffes.

"Vallentine Blake Fitz Water Fitz Thomas, Maior; Andrewe Linche fol. 127.  
Fitz John, and Thomas Blake, Shirriffes, xxix September, anno 1611.

"Richard Martine, Mayor for parte of this yeare.

List of Aldermen.

"Memorandum. That the 13th day of November, the above yeare, Vallentin Blake, aforesaid, by a dedimus potestatem under the great seale, was required to swear the Oath of Supremacie by the Right Woorshipful Sir Oliver St. John, Knight, Vice-President of Conaght, in the presence of the Right Reverend Father in God, William,<sup>1</sup> Lord Archbischopp of Tuame, and others, and the said Vallentin, not taking the said oath, was then putt beside the said office and the Corporacion comaunded to ellect another Mayor, and the same verie day, in a Gennerall Assembly here holden by the Aldermen and whole Corporacion, [they] have with one consent chosen Richard Martin to be Mayor of the said towne untill Michaelmas next.

#### "Statutes:

"Apud Theoloneum ville de Galwey, per Maiorem, Vicecomites, Burgenses et Communitatem ville de Galwey predictae:

"It is ordered, enacted, established and confirmed by the Mayor, Sherriffes, Burgesses and Comonaltie of Galwey aforesaid in this present assemblie gathered together, with mutuall assents and consents, that whereas it hath bene found to be verie . . . <sup>2</sup> that every Comoner of this towne, as well in regard of the coptinuall trubble that groweth unto themselves by their often attendaunce as for that many of them have litle experience of the government of other well ordered and honoured citties [and] townes are not sufficiently able to advise, for remedie thereof there were [in a Gennera]ll Courte holden, twelve of this Corporacion chosen to be of Councell . . . Aldermen of this Corporacion in all . . . which concerne the said Corporacion.

"It is therefore ordered that all orders, actes or statutes that hereafter shallbe made by the Mayor that nowe is, or that hereafter shallbe, for or concerning this Corporacion, shallbe holden voide in all respectes except there be present at the making of the said orders, actes and statutes the greatest number of the Aldermen of this Corporacion and six at the least of the said ellected Councell which shallbe for the tyme then being; and that nothing be moved in the Gennerall Courte but such thinges as are first agreed upon by the Mayor for the tyme beinge and the greatest [number] of the Aldermen and six at the least of the said Councell, which shallbe for the tyme then beinge, under their handes, and that then the same shallbe offered to the consideracion of the Courte and confirmed by them. fol. 127b.

"It is further inacted and ordered by the Mayor, Aldermen and Councell that forasmuch as there are many abuses and inconveniences, in the nowe gatheringe and levienge of the subsidy of this Corporacion, that from hencefoorth the said subsidies shall cease, and that the same

<sup>1</sup> William Daniel or O'Donnell, Archbishop of Tuam, A.D. 1609-1628.

<sup>2</sup> Ms. damaged.

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shalbe raised againe. And it is further ordered that neither the Mayor for the tyme being, or that hereafter shalbe, shall not any way intermeddle with the receiving or having of the same or any parte thereof and that the receivors appointed for the receiveing thereof shall become bound in recognizance for to yeald a true accompt for the same, and that they have for their fees but [*blank*] sterling in the pound.

"And it is further ordered that the Mayor, and Shirriffes for the tyme being, or that hereafter shalbe, shall assist the said Receivors soe often as shalbe requisite for the collecting and gathering upp of the said customes and subsidies, and that they keepe several bookes of all the goodes that shalbe from tyme to tyme transported either outgate or ingate.

"And it is further ordered that the said receiver shall not pay or disburse any parte of the said customes, subsidies or revenues but by warrant from the Mayor and the greatest number of the Aldermen and six at least of the said Counsell under their handes.

"And, further, whereas there is unjustie exacted of the marchantes of this towne and Corporacion certain exactions, under the title or name of saulfe conduct, whereas theauncient custome was that straungers whoe brought in marchaundizes uppon their adventure onely, should before their arrivall informe the Maior from whence they came and their occasion of cominge, to thentent that if they came from any infectious place or otherwise there might be such order taken as shalbe requisite; and for the same paid saulfe conduct, which is nowe otherwise used, to the great grivaunce of the marchauntes of this town, for remedie whereof it is ordered that onely strangers that shall bring in goodes as aforesaid shall pay for their saulfe conduct, and that not any freeman shall pay or give any thing out of their own handes by cullour of saulfe conduct, or otherwise intending to the same or to the like cause, and that every man that shall offend contrary to this order shall pay fortie poundes sterling and returne to the owner what he takes.

"It is further ordered that as well the Mayor for the tyme being, as every Mayor that shall hereafter be, within this Corporacion, shall take his corporall oath truly to observe and keepe these orders to the best of his power.

"VALLENTYNE BLAKE, Mayor.

"Memorandum: That in a Generall Assemblie holden by the Mayor, Shirriffes, Burgesses and Comonaltie of his Majestie's towne of Galway, in the Towlsell or Courte house thereof, the second day of October, anno Domini, 1611, by generall consent and most voice, the Right Honorable Donatus [O'Brien], Earle of Thomond, and one of his Majestie's Privie Councill of this realme of Ireland, the Right Woorshipful Sir Oliver Saint John, Knight, Vice President of Connaght, Master of the Kinge's Ordinance in Ireland, and one of his Majestie's Privie Councill, of the same, Sir Thomas Rotheram, Knight, Governor of his Majesties forte neere Galwey, and Roger O'Shaghnes, Esquier, were elected and admitted to the franchise and liberties aforesaid.

"VALLENTYNE BLAKE, Mayor.

fol. 128.

"The true copie of Mr. Recorder's graunt, verbatim:—Omnibus Christi fidelibus, ad quos hoc presens scriptum pervenerit, Maior, Vicecomites ville de Galwey et Burgenses et Comunitas ejusdem ville, salutem in Domino sempiternam.

"Sciatis quod nos, dicti Maior, Vicecomites, Burgenses et Comunitas, ex diversis bonis causis et consideracionibus nos specialiter moventibus,

dedimus, concessimus, et hac presenti charta nostra confirmavimus dilecto nostro in Christo, Damiano Pecke, armigero, de cujus probata fidelitate ac summa in nos benignitate et merito plurimum confilimus, officium Recordatoris ville et comitatus ville de Galwey, cum omnibus feodis, proficuis, commoditatibus, potestatibus, auctoritatibus, libertatibus, preheminciis, privilegiis et emolumentis quibuscumque eidem officio Recordatoris pertinentibus sive spectantibus, ac in tam amplis modo et forma prout aliqui alii sive aliquis alius officium predictum antehac habuerunt vel occupaverunt, sive habuit vel occupavit, aut habere seu occupare poterit, ac in tam amplis modo et forma quam iidem officium et cetera premissorum cum pertinentiis, dari aut concedi possunt aut debent.

“Habendum, tenendum, gaudendum, exercendum, et occupandum officium predictum cum pertinentiis, unacum omnibus feodis, proficuis, commoditatibus et advantagiis eidem officio spectantibus sive pertinentibus, prefato Damiano Pecke per se vel per sufficientem deputatum suum, ad libitum Maioris et Burgencium ville predictae de tempore in tempus eligendum et substituendum, pro termino vite ipsius Damiani Pecke, tam libere et integre et in tam amplis modo et forma prout aliquis alius sive aliqui alii predictum officium unquam habuerunt sive tenuerunt, aut nos illud quovismodo dare aut concedere possumus.

“Et ulterius sciatis quod nos, in consideracione premissorum ac pro officio predicto exercendo et occupando, damus et concedimus pro nobis et successoribus nostris eidem Damiano Pecke, nunc Recordatori [vel] assignatis suis, quandam annuitatem sive annualem redditum triginta librarum bone et legalis monete de et in Anglia, exeuntem de et ex omnibus terris, tenementis et hereditamentis nostris, ad separales festos Annunciationis Beate Marie Virginis et Sancte Michaelis Archangeli equalibus dividendis, annuatim solvendis prefato Damiano aut assignatis suis per nos et successores nostros super Maiorem ville predictae, pro tempore existente.

“In cujus rei testimonium, huic presenti scripto nostro sigillum nostrum comune apponi fecimus.

“Datum apud le Towlsell sive Courte-house de Galwey predicta, tricesimo die Septembris, anno regni Domini nostri Jacobi, Dei gratia Anglie Frauncie et Hibernie Regis, Fidei Defensoris, nono, et Scotie xlv., anno Domini 1611.

“Provided that the said Recorder shall not nominate any Deputie but with the consent of the Mayor, Aldermen and freemen of the said towne, neither shall hold the said office any longer than that he shall behave himselfe justlie and truely towards the said Corporacion.

“Per me, DAMIAN PECKE.

“VALLENTYNE BLAKE, Mayor.

“The Recorder not to name a Deputie but with consent of the Mayor, Aldermen and Freemen.

“Memorandum: That on the 12th day of October, in anno 1611, in a Gennerall Courte holden by the Mayor, Shirriffes, Burgesses and Comonaltie, in the Towlsell or Courte-house thereof, it was by genneral consent concluded by them (uppon acknowledgment of a promise past by the late Shirriffes, Pattricke [Martin] and Christopher Bodkin) that the nowe Mayor, Vallentine Blake, shall have accordinge the Auditors allowance to him in such monys he expended in the cause that depended for (*oblit.*) of John Griffin all such subsidie as grewe due uppon the said Vallentin for goodes the last yeare immediatly after Geffrey Linch be paid of his money, in parte of paiement of the said money s<sup>oe</sup> by him paid for the said (*oblit.*).

“VALLENTYNE BLAKE, Mayor.

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fol. 128b.

"Memorandum : That in a Courte holden in Galwey the fowerteenth day of October, anno Domini 1611, before the Mayor, Recorder, Aldermen, Sherriffes, and Comonaltie of the towne of Galwey aforesaid, the late Sherriffes, Patterricke Martin and Christopher Bodkin, collectors of the twoe partes of the towne revenues of the last yeare, have made upp their accomptes and have disboursed for the said towne all such soomes as they during ther collectourshipp have received, and are thereof clearly discharged for ever.

" VALLENTYNE BLAKE, Mayor.

" DA[MIAN] PECKE.

" ANDREWE LYNCH, Sherriffe.

"Memorandum : That in a Gennerall Assembly holden by the Mayor, Sherriffes, Burgesses and Comonaltie of Galwey, in the Towlsell or Courte-house thereof, the last day of October anno Domini, 1611, by gennerall consent it was agreed that all and every soome and soomes of money and stypendes heretofore graunted by the said Corporacion to any person or persons, (except the Mayor, Recorder and Towne Clercke's stypendes,) in consideracion of their povert[y] and unhabillie. shall surcease, be void, recalled and of noe force or validitie for ever.

" And further it was by the said Courte concluded that the subsidie of the said town shall continue and be according the condicions already written and contained in this booke.

" And, finally, it was by gennerall consent of the Court agreed and condescended, the day and yeare aforesaid, that all comissions and warrauntes graunted by them under their seale to any person or persons, except the late commission graunted to the Recorder and Geoffrey Linch concerning the newe customes, shalbe likewise recalled, disannulled, void and of noe force for ever, any former acte or graunte by them made or ordained to the contrary any wise notwithstanding.

" VALLENTYNE BLAKE, Mayor.

"Memorandum : That in a Generall Assemblie holden by the Mayor, Sherriffes, Burgeisses and Comonaltie of his Majestie's towne of Galwey, in the Towlsell or Courte-house there, the viiith day of November, 1611, by generall consent and most voice, John . . .<sup>1</sup> was admitted to the fraunchise and liberties aforesaid, pro fine, etc., left to the discrecion of the Mayor.

fol. 129.

" VALLENTYNE BLAKE, Mayor.

" Sir Thomas Rotherham, Knight, Governor of his Majestie's Forte of St. Augustine's, neere Galwey, one of his Majestie's Councill of the Province of Connaught, and Mayor of Galwey, Marcus Linch Fitz Christopher, and Adam Fonnte, Sherriffes, the xxixth of September, 1612.

List of Aldermen.

" Statutes made this yeare :

fol 129b.

"Memorandum : That, this present daie, at the Tolleshell or Courte house of this Corporacion, by a generall consent of the Mayor, Common Councill, Burgesses and Comonaltie there assembled for settinge downe of good orders for the publike weale and good government of the said Corporacion, it was concluded and ordered as followeth, viz. that from henceforth noe Maior of this towne shall hereafter intermeddle with the subsidie or other the revenues of this Corporacion to take or receive any parte thereof, but that the Receivers apointed or from time to time to be apointed by the Comon Councill of the said Corporacion shall receive the same, which they shall not disburse without the consent of the said

<sup>1</sup> Ms. indistinct.

Common Councill or the greater parte thereof first had and obtained (the yearly fees and stipends due and accustomed by the Corporacion to be paid onely excepted), for which sommes so to be disbursed the Mayor for the tyme shall give a warrant to the said collectors or Receivors for their discharge.

"Item: that every Mayor hereafter elected or to be elected shall, before he be admitted Mayor of this towne and to that purpose receive his oath, enter into bondes of one thousand poundes sterling, with twoe sufficient suerties inhabiting within the said towne, to the Recorder of the said towne for the time being, duering the time of his Maioralitie not to doe any act or actes, without the consent of the Corporacion, which may any way tend to the prejudice and damage of the said Corporacion and the gennerall good of the same. Which bondes the said Recorder, within tenn daies after the determinacion of every such Mayor's Maioraltie, shall deliver up to the partie soe bound as aforesaid, yf within the said space the Corporacion cannot charge him with the breach of this acte in anything tending thereunto.

"Item: That noe Mayor of this towne shall hereafter at any time calle any Courte and assemble together the said Corporacion, thereby to take their advise and therein conclude any thing as concerninge the disburseing of any somme or sommes of mony for the use of this Corporacion, or for the lettinge or settinge any of the townes revenues untill he have first called together the Common Councill of the Corporacion and that they have well debated and digested the said busines and the maior parte of them condicended<sup>1</sup> unto it.

"Also, whereas divers Mayors of this Corporacion, for their owne proper gaine, have, at such time as the merchautes of this towne have brought their wines or comodities to be discharged and brought to their warehouses or sellors, either caused the keye<sup>2</sup> gate to be kept shutt, or otherwise given comaundement to the boaten and carremen of this towne that they should not discharge, bringe in, or carry the said wines or merchandizes, to tend to compell and inforce the owners of the same wines and merchandizes to bestowe upon such Mayor some gratuity or rewarde, which in its kinde and nature is extortion, and oftentimes is to the greate hinderance and damage of the merchautes: For reformation whereof, it is ordred that from henceforth the key gate shalbe kept open at all times when that any merchaunt hath either wines or other goodes to be discharged, unladen, or brought in, at all convenient owers and tymes; and that neither the Mayor, Sheriffes or other officers shall by any waies or meanes whatsoever give anie impediment or hinderance to the unlodeing or bringeing in of any wines or other merchandize, except it be for the payeing of such duties, customes or subsidies as shalbe due forth of the same either to his Majesty or to this Corporacion; the somme of x. li. sterling to be presentlie levied by the Sheriffes for the time being by distresse of the goodes of the partie soe off[fending].

"Waiter Martin, Maior; James Oge Dorsey and Geordge Martin, fol. 130. Shirriffes, xxixth day of September, in anno Domini, 1613.

List of Aldermen.

"Nicholas Darsey, Maior, James Oge, Darsey and Frances Martine, fol. 131. Shirriffes, the xxixth daie of September, anno Domini, 1614.

List of Aldermen.

"Piers Lynch, Mayor; Piers Martin and Johnneck Lynche Fitz Piers, fol. 132. Shirriffes, the xxix day of September, anno Domini, 1615.

<sup>1</sup> consented.

<sup>2</sup> quay.

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fol. 132b.

List of Aldermen.

"Galwey, xxx. of September, 1616.

"Memorandum: That, the day and yeare aforesaid, it was concluded by the Courte that all subsidies and saulf conducts accrewinge to the Mayor and the towne of Gallwey fourth of any wares or merchandize whatsoever shalbe put back and extinguished.

"Galwey xxiith of October, 1616, coram Petro Linch; Maiore, et sociis suis.

"Memorandum: That in a General Assembly, holden in the Towl-shell or Court-house of the said xxiith of October, thabove yeare, by the Mayor, Aldermen and whole Corporacion thereof, Peter French Fitz Vallentin was, by generall consent and most voice, fined in the soome of a hundred poundes sterling and dysabled to be ever hereafter Mayor of the said towne, by reason of his contempt in despising and putting off the office of Maioraltie, being ellected for this yeare; and Marcus Kirwane was likewise fined in twenty poundes sterling for contempting the office of one of the Sherrifes of the same towne for the said yeare following, being likewise thereto appointed, and the Mayor to put the same in execucion accordingly.

"P. LINCHE, Mayor.

"DA[MIAN] PECKE.

fol. 133.

"Anno Domini, 1617, Peeres Lynch Fitz Jonake, seconde time Mayor; Johne French and Edmonde Lynch, Shiriffes, the xxix. daie of September, 1616.

List of Aldermen.

fol. 134.

Frauncis Frenche Fitz Peeter, Mayor; Thomas Lynche Fitz Piers, James Semper, Shiriffes, the xxix day of September, anno Domini, 1617.

List of Aldermen.

fol. 135.

"Nicholas Lynch Fitz George, Mayor; James Semper and Marcus Lynch, Shiriffes, anno Domini, 1618.<sup>1</sup>

List of Aldermen.

fol. 135b.

"Coram<sup>2</sup> Nicholao Lynch Fitz George, Damyan Peck, Recordatore, Jacobo Semper et Marco Lynch, [Vicecomitibus,] dicte ville Galwey, et sociis suis, xxix die Octobris, anno 1618.

"Memorandum: That, in a Gennerall Assembly, houlden by the said Mayor, Recorder, Sherriffes, Burgesses, and Comonalty of the said towne in the Tolshell or comon Courte-howse of the same the day and yeare aforesaid, being the feast day of Saint Mychaell tharchangell, Sir Charles Cowth [Coote], Knight, Sir Richard Boork, of Deremacklaghney, Knight, Mr. John Boork, of Dunsandell, Esquier, and John Jacob, of Galwey, by gennerall consent and most voice of the whole Corporacion in gennerall, were admitted to the fraunchise and libertyes aforesaid, pro fine left to the discrecion of the Mayor and Sherriffes, etc.

"NICHOLAS LYNCH, Mayor.

Cancelled memorandum of 22 September, 1619, in relation to petition of Richard Lynch Fitz Edward, merchant, of Galway.

fol. 136.

Act relative to subject of preceding memorandum.<sup>3</sup>

<sup>1</sup> Fol. 135 is partly coloured in red, yellow, and purple.

<sup>2</sup> Ms. damaged.

<sup>3</sup> "Coram Jacobo Darsey, Maiore, et sociis suis: Galwey, ultimo die Julii, 1620:

"Memorandum: That, the day and yeare aforesaid, by the said Maior and Aldermen whose names ensue, with one mutuall accorde have caused Marcus

"James Darsy Fitz James, Mayor; Marcus Frenche, Fitz Marcus, and Peetter Martine Fitz Walter, anno Domini, 1619, Sherriffes." fol. 137.

"Anno Domini, 1620, the xxix. of September: Andrew Linch Fitz John, Mayor; Marcus French and James Semper, Sheriffs." fol. 138.

List of Aldermen.

"Galwey, xi. die August, 1621, coram Andrea Linch, Maiore, et sociis suis. fol. 138b.

"Memorandum: That in a Gennerall Assembly holden the day and yeare aforesaid in the Towsell or Courthowse of Galwey, by gennerall consent and voice it was concluded and agreed that all the arches or patches and vaults at the great gates shalbe stricken downe and removed from thence, because that their howses there are verie noisome to the Corporacion, and it was concluded that all the parkes, howses, and other workes, which are part of the common ground by Maioraltie seale, shalbe also presently beaten downe and reduced to the benefit and furtherance of the Corporacion.

"ANDREWE LYNCH, Maior.

"Galwey, xiv. die August, 1621: coram Andrea Linch, Maiore, et sociis suis.

"The names of such persons as are named by the Corporacion to viewe and reforme all abuses and encroachments uppon the Corporacions common grounds, the day and yeare aforesaid in open courte:

Vallentin Blake.

Peter French Fitz Vallentin.

Marcus Blake.

Peter French Fitz Peter, thelder.

Robert Blake.

Nicholas Martin.

Walter Browne Fitz Thomas.

Marcus Linch Fitz Martin.

Nicholas Linch Fitz Jonickin.

Patricke Martin.

John French Fitz Peeter Boy.

John Bodkin Fitz Dominicke.

James Kerwane Fitz Stephen.

"Memorandum: That, the day and yeare aforesaid, in open Courte, it was, by gennerall consent and most voice, agreed and concluded that the above named persons, or any six of them, shall survey and perambulat all the common ground of the towne taken upp by Maioraltie seales, and all the same ground and every parte thereof reduce, alter, conuerte and improve to the good avall, furtheraunce and behoofe of the Corporacion as the said parties and every six of them shall in their wisdomes, understanding, and discrecion thinke fit and convenient.

"ANDREWE LYNCH, Maior.

"1621, the 29 day of September, Robert Martine, Maior; Luke Rawsone and Manus Cornin, Sheriffes." fol. 139.

Lists of Aldermen and "Common Council."

Martin, Publicke Notary, to cancell and deface the writing or claime against written by Richard Linch against Martin Darsey's stone house. The said Nicholas Linch, Alderman, then Mayor, acknowledging that the said claime was written without his consent, and afterwards drewe his hand to it, and James Semper, alsoe then Shirriffe, affirminge that he did subscribe to it after their yeare of office was expired and cancelled for that it was soe out of rule and honest forme conceived, as alsoe for that this booke is improper for plea of that kind and that bussines of that nature concerns the Towne Clerck's booke.—James Darsy, Mayor; Richard Martin, Alderman; Nicholas Darsey, Alderman; Crystofor Lynch Fitz Geordg, Alderman; Nicholas Lynche; P. Linche, Alderman; William Lynch, Fitz . . . ; Marcus . . .

On fol. 136b is entry dated 29th September, 1620, on election of Bailiffs Andrew Darssy, George French Fitz Pattryke, and Edward French Fitz Patrick.

<sup>1</sup> At foot: "J. A. scripsit. Anno. 1699."

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" The said Robert Martin deceased the nynteenth day of Aprili in the yeare of his Maioralty, in whose place was elected, by gennerall consent, his father, Richard Martin, Esquyer, yt being the third tyme of his Maioralty.

fol. 139b.

" Memorandum : An act made with consent of the Maior and Corporacion, viz. that, where at a Court holden within the Tollsell of this town, yt was ordered that all such persons as hold anie lands or tenements of and from the said Corporacion by force of common seale or Maioraltie's seale, or that clayme debtes upon the said Corporacion by virtue of anie such, shoold produce their evidences for the same in open courte by a certaine day prefixed, or fayling thereoffe, the said evidences and seales to all intents and purposes to bee void : Whereuppon it is ordered and also further enacted that those persons whoe have neglected to produce there said evidences, grauntes, and specialties, to bee looked into by the Maior and Corporacion heerafter shall receive no benefit of the same.

" It is enacted also, with consent aforesaid, that no freeman or other dweller within the county of the said towne shall buy anie manner of corne or graine, other than for provision of his own house onlie for a yeare. But such person offending contrairie to this act shall forfeitt the grayne so bought unto the Corporacion, for the first offence; and, offending so the second tyme, shall remaine in prison untill hee or they give good security to the Corporacion never to doe the like.

" Yt is also further enacted that no aquavite shalbee made or distilled henceforward within the county of the said towne by anie manner of person or persons whatsoever (other than for their owne private drinking) yf the peck of barley mault at the tyme of making the said aquavite shall exceede the pryce of eight shillinges and sixpence sterling, the peck of oaten mault four shillinges and six pence sterling, and the peck of wheat the pryce of twelve shillinges sterling. Likewise, that no strong beere, otherwise called Marche beere, shall henceforward bee brued and solde within the saide towne and county by retail so long as wheat and mault shall exceed the foresaid prices. But the person or persons so offending for the first offence shall forfeit five poundes sterling to the said Corporacion and from thenceforth give good securitie to doe the like noe more.

" RICHARD MARTINE, Maior.

fol. 140.

" Anno Domini, 1622, the xxix September, Patrick Martin Fitz Walter, Mayor; James Linch and Piers Martin, Sheriffes."

fol. 141.

" Anno Domini, 1623, the 29 day of September, Marcus Og French Fitz Marcus, Mayor; James Linch and Geoffrey French, Sheriffes.

List of Aldermen.

" Memorandum: That xx. daie of June, 1624, the aforesaid Maior [and] Sheriffes, with the consent of all the Burgesses and Comonaltie of this his Majestie's towne of Galwey, have graunted that Edmond Bourke, of Killcornan in the countie of Galwey, Esquire, Walter Bourke, of Turlaghe in the countie of Mayo, Esquire, and Donnell Mc Robwcke Brimighame of Galwey, shalbe Freemen and Burgesses of the said towne, the said Edmond Bourke, Walter Bourke, and Donell Mac Robwcke Brimighame to have, use and enjoye the same liberties and freedom with the appurtenances to them and everie of them there heires lawfully begotten of there bodyes for ever, in as lardge, ample and beneficiall manner as any other merchaunte or merchauntes of the anciente inhabitantes of the said towne of Galwey aforessaid. and shall



warrant and defend for ever theforesaid Edmond Bourke, Walter Bourke, and Donnell Mc Robwcke Brimighame, againste us and our successors by theis presents: Provided alwaies that the said Edmond Bourke, Walter Bourke, Donell Mc Robwcke Brimighame, theire heires or the heires of either of them aforesaid, concerninge tradinge or inhabitinge in the said towne of Galwey shall beare and pay all such skott, lotte and other taxacion as by equall contribucion shalbe chardged upon them or any of them according to the grante under the common seale to that effecte.

"Anno Domini, 1624, the twentieth nyne of September, Roberte fol. 142. Blake Fitz Walter Fitz Thomas, Mayore; Geoffrey Freinche and John Blake, the forsaid Mayor his eldest sonn, Sherriffes.

List of Aldermen.

"Memorandum: That upon the first day of February, anno Domini, 1624[-5], in a Gennerall Assembly holden in the Tolshell howse, it is agreed that no butcher within this towne or liberties thereof shall sell or make away any fresh salt beeffe or porke to any merchant stranger or dynesyn, to be transported over seas, but such proportion as shalbe thoght fytt by the said Mayor and Sherriffes for the tyme beinge, for the provision of any shipp or bark, according to there discrecions, upon forfeytur of all such beeff or porke as shalbe sold or transported. Dated the above day and yere. "ROBERT BLAKE, Mayor.

"Anno Domini, 1625, the 29 day of September. Thomas Lynch fol. 143. Fitz Nicholas Fitz Stephen Fitz Arthure, Mayor; Walter Browne and William Blake, Shirriffes, 1625.

Lists of Aldermen and "Privatt Councillors."—"Sir Henry Lynch, Baronet and Recorder."

"Galwey, vicesimo die Februarii, anno Domini, 1625[-6]: coram fol. 143b. Thoma Lynch, Maiore, Waltero Brown et Wilielmo Blake, Vicecomitibus dicte ville, et liberis Burgensibus et Comunitate ejusdem villæ.

"Statutes and ordinances made by the aforesaid Mayor, Sheriffes, free Burgesses and Comonalty of Galwey aforesaid, for the better government of the same towne:

"First, they ordaine and establish that every Mayor of the same towne, for the tyme being, in the disposing and distribution of any estate, possession, office, rentes, revinues, right, title or interest whatsoever, reale or personall, belonging to the said Corporacion and in the publike government of the same, shall use and crave the helpe, ayde and assistance of the greatest number of the Corporacion that shall have voyces in the Towlsell house of the said towne, without which there shalbe noe alienacion, estate, dispossion or distribution made of any of the estates, possessiones, offices, rentes, revenues, duties, goods or chattles of the said Corporacion, nor proceeding in any matter concerning the publike weale and government of the same, and if there be it shalbe voyde and of noe effect in lawe: Provided allwayes that all proceedings and other matters concerning the pleas and matters of the Crowne, and appertayning to cognizance of all other pleas, shalbe discussed and determined before the judges or other officers of this Corporacion respectively appointed and limited by the severall charters of the same, according to the said charters, and not otherwise.

"Item: That noe Mayor or other magistrate of the said towne shall receive or collect the revenues, rentes, duties or subsidies belonging to the said Corporacion, nor any parte thereof, but that the nowe receavors elected by the said Corporacion, and theire Reeceavers for evermore by them to be appoynted, shall receive and disburse the same for the

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Corporacion use as the greatest parte of the said Common Councell shall assigne.

"Item: that the Mayor thereof, for the time being, presently after Michaelmas yearly, shall cause an inquiry duely to be made of the carriage and demeanor of the Mayor that last preceeded him; soe that it uppon due examinacion it appeare the said Mayor the yeare before extorted uppon the said Corporacion, or otherwise misdeameaned himself in his place, that then the same Mayor for the tyme being doe cause him to make full satisfaccion and inflict further punishment uppon him beinge in all these allwayes conformable to his Majestie's lawes.

fol. [144].

"Item: Whereas heretofore in the Maioralty tyme of Nicholas Lynch, father to the said Thomas Lynch, it was enacted that whosoever should irreverently in evill language abuse the Mayor for the tyme being of this towne, that he should forfeite ten poundes sterling and suffer imprisonment; and whereas alsoe, all others that would abuse in like manner any other officers of the same towne should respectively be imprisoned and pay fynes at large expressed in the same act, that now it is agreed that any whatsoever shall scandalize and unmannerly behave himself in speeches to the Mayor for the tyme being shall forfeite twentie poundes sterling, to be levied by distresse or otherwise, to the use of the Corporacion and shalbe imprisoned. And in like manner it is concluded that all others offending the residue of the officers of the saide towne each of them shalbe punished with corporall imprisonment and forfeiture of mony remembred in the said ordinance made in the said Maior Nicholas Lynch his tyme: Provided alwayes that the same be proved by two witnesses at least before the said Mayor and Common Councell.

"Item: Whereas there are dailie greate enormities disorders and abuses found in the Generall Assemblies and meetinges of this Corporacion in their Common Hawle, by reason of some undiscreeet persones that have a voice among them, which vexes them very much; wherefore it is accorded and established that the Mayor with the Common Councell of this towne shall reduce all the said Generall Assemblies to such a certayne number of the said Corporacion as they shall from tyme to tyme lay downe and nominate in writeing, and every of those shall take his place and seate according to the ould customme, uppon paync of five shillinges sterlinge, to the use of the Corporacion, for each default, and that none other shall nor ought to claime or provide any voice or word than whereby such unruly persones as disturbe the common goode be excluded from hence.

"Item: That whosoever of the towne shall labour or practise to gaine woories for to make a Mayor, Sheriffe, or any other officer whatsoever within this towne, shall forfeite fortie shillings sterling, lawfull English mony, for each default or voice laboured or procured by such sinister or undirect practiz, the same being proved by twoe witnesses at least before the said Mayor and Recorder, or found by a presentment either in the Court Leete or Quarter Sessiones to be held before the said Mayor and Recorder, which is more strictly to be observed because the said Corporacion doth and hath found the greate abuses heretofore in this kinde committed by fellowes that conspired to make somtymes the principall officers of this towne by getting aud procuring woorus aforehand, not weighing or regarding theire value or honestie but of a meere factione and will, the which wee intend bee suppressed and officers thereto be ordayned for theire descrete value and goodnes.

fol. [144b].

Item: That the measures of pecke and meaog, nowe in the towne seller, shall for evermore stand, without being in anything encreased or diminished, and that all kindes of corne heere shalbe bought and

sould by the foresaid measures, or by other measures made to that stampe and size onely, and any contemning herein by buying or sellinge in this towne with measure or measures of any [other] size shall forfait for each default twentie pounds sterling to the said Corporation, to be levied of the goods and chattles of the partie offending by bill or accion of debt or by way of distresse after that the same shalbe proved by two wittnesses, as is aforesaid, or presented in maner before specified.

"Item : That all and every of those that bring corne to the markett to be sould shall have all and every of their corne of what kinde soever at their and every of their pleasures from, to, and in the markett, without any interruption and without pressing any of it to the common celler, or, reteyning it to other markett dayes, in case it weare not sould that markett daye they bringe it hither, as abusedly was done heretofore, to the greates discomfort of the sellers of corne.

"And wee further order that the Mayor thereof for the tyme being shall either oversee the same in person or shall ordaine every markett daie there sufficient overseers of the same, whereby all good order there be observed together and with those afore remembred.

"Fynally, we conclude that noe outerye, houlung or shooting<sup>1</sup> be made in or out of the streetes of this towne upon the buriall or at the buriall of any deceased person or persones whatsoever within this towne, but that all such barbarous courses be given over, on paync, of five shillings English mony for each abuse in that kinde, to be levied by action of debt or distresse of the goods and chattles of the partie offending herein, the same being proved or presented, as is aforesaid, or donne in the presence and viewe of the Mayor, or one of the Sheriffes, for the tyme being, whereby all and every corpes be caried to his grave here in a sivill orderly fashione, according to the forme in all good places observed.

"THOMAS LYNCH<sup>[H]</sup>E, Maior.

"James Lynch Fitz Martin Fitz Williame, Mayor; Jasper Martin fol. 145. Fitz Nicholas, and Marcus Skeret, Shirriffes, 1626.

Lists of Aldermen and "Privatt Councillors."

Sir Richard Blake Fitz Robert Fitz Walter Fitz Andrew, Knight, fol. 146. Mayor; Edmond Kirowan and Nicholas Blake, Shirriffes, 1627.

Lists of Aldermen and "Privatt Councillors."

... Galway et Comitatus : xvii die Maii, anno Domini, 1628 : Coram fol. [147<sup>2</sup>]. Richardo Blake, milite, Maiore dicte ville et comitatus, et Edmondo Keirwann et Nicholao Blake, armigeris, Vicecomitibus, et liberis Burgensibus et Communibus ejusdem ville et comitatus.

"Followeth certaine actes and ordinaunces made by the foresaid Maior, Shirriffes, Burgesses and Comonaltie for the furthering of this commonwealth :

"Forasmuch as the grace of God is the best revennewe of this towne, and his blessings our greatest rentes, and that charities, devotions and distributions (whereby wee ought to expresse our humble thankfulness) are according His Divin provi[de]nse a hundred foold rewarded both in this and the other world :

"It is ordained and established by the Maior, Sherriffes, free Burgesses and Comonaltie of Gallway aforesaid, that the collectors of the rents and revennewes of this towne shall once everie yeare (after the discharge of all stipends pensions of officers, and exchequer rentes and all due debtes which shall be agreed upon by the Corporation to be

<sup>1</sup> Shouting.

<sup>2</sup> The leaf is reversed in the Ms.

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satisfied) pay and distribut tenn pounds sterling (if soe much shall remaine upon their handes) to and betweene the poore widdowes of the birth and bloode of the town (whose names they shall present to the Maior and his Councell and by them shall be allowed of) in imitation of that good widdowe (comended by Our Saviour) whoe did cast her two mites into the treasure, and in hope that the supplieing and refreshing of the needefull exigentes of the poore may increase our comings in and thereby enable us to doe worke tending to God's glorie and the good of the commonwealth.

"Whereas divers sturdie beggers and younge fellowes pretending themselves to be schollers doe dailly in great numbers flocke and resorte to this towne from all partes of the kingdome, which is not onely dangerous to the Corporacion by harbouring such multitudes and unknowne straunge personnes, but also disableth the inhabitantes from havinge anie meanes to relieve their own people or such younge schollers of the birth of the towne, who have a desire to studie and learne: It is therefore ordred in oppen courte, by common consent, that such forreigne beggars and all pretended schollers beinge borne out of this towne and countie therof and not licenced by the Maior or Sheriffes, shall with all expedition be conveyed by the severall constables of the frauncheses into the way leading towards their owne native countrie, with directions that if any [of] them or any other forraine beggar or poore scholler doe returne thereunto againe without licence, as aforesaid, that they shalbe whipped out of this towne and countie, that the porters of anie gate through which anie such beg[ger] or poore scholler shall come shall forfeit five [pounds] sterling as a f[ine] to the Corporacion for his or their negligence in suffering [them] to come to the towne, to be leavyed by distresse or action of debt, and to be further punished at the Maior's discrecion.

fol. [147b].

"It is likewise ordered, for the better detection and discovery of those forraine beggars, by the consent aforesaid, that everie one of such poore and needie men borne in the towne as shalbe allowed of to begg shal have a lead[en] token or marcke fastened to his capp, to distinguish him from others; and for better knowledge that this order sha[lbe] duely executed, that everie schoole-master shall once everie quarter of a yeare deliver a noate or liste to the Maior, for the time being, of all their schollers and of what places they name themselves; otherwise any such maister neglecting to performe this, to forfeit tenn shillings to be levied by distresse or accion of debt, as aforesaid.

"It is further ordered that the severall Councables of the severall quarters and frauncheses of this towne shall inquire and s[ee]k out all idle and maisterlesse personnes and such others as shall not finde maisters or men of qualitie to undertake for them, and them to comitt to the jaole there to be restrained untill they finde securitie before the Mayor or some of the Sherriffs to departe the towne and not to returne againe in that lawless manner.

"Forasmuch as divers straungers and some of the towne do keepe blinde ale houses, who are neither fitt or able [to] intertaine through-farers and passengers, and that com[monly] such are the relievers of idlers and mallefactors whoe, by cheating, cousening and villanies, doe disturb the quiett and peace of this towne, and by their continuall brewing and selling of beere, ale and aqua vite doe occasion great dearth of all manner of corne:

"It is therefore ordered by the Maior, Sheriff, free Burgesses and Commonaltie of this towne of Galway, that the seserall Constables of the sev[erall] quarters and frauncheses of this towne shall a[t] everie Quarter Sessions present the names of all such persones and of all others

that doe sell beere, ale or aqua vite, to the end that a certaine number of select men should be named by the Mayor and his Councell and licensed to doe the same, and everie other person whoe in disobedience shall retaille any to be imprisoned, upon prooffe and due presentment made thereof, and fyned at the Mayor's discrecion.

"Memorandum: That uppon an indictment found by the Grand Jurie impannelled by the Maior and the Lords Justices of Assises held for this towne and the countie therof, the first daie of August, 1628, it was ordred that everie man that had inclosed any parte or parcell of the common land of this town, by hedging, ditchinge, or otherwise, should, within the space of tenn daies next and immediately after the said first daie of August, breake prostrat and fall downe the said hedges, ditches, or other fences, uppon paine of forty pounds sterling uppon everie particuller man, to be estreated to his Majestie's Courte of Exchequer. Which order the said Maior hath accordingly putt in execucion, and caused all those hedges, ditches, and fences to be throwen downe, prostrated and demolished, whereby the inhabittantes of this towne in gennerall have the benefitt of the said lands in common, accordinge to their accustomed use, right, title, and interest.

"Memorandum: That this yeare it hath pleased the Kinge his most excellent Majestie by his Highness Commission under the broade seale, to make the Maior of this towne, for the tyme being, to be one of his Majestie's Counsell for the government of this towne and countie, and the countie of Gallway at lardge, and likewise to joyne him with the Governor of those counties in the Commission that he hath for the execution of martial lawe.

"RICHARD BLAKE, Maior.

"Marcus Blake, of Gallway, Alderman, being uppon Lamas day last, fol. 152<sup>1</sup>. according the charter and custome of the towne, by a free and unanim[ous] consent elected Mayor thereof for the succeeding yeare, it pleased God Almighty upponn Michaelmas day in the moorning to call him out of this transitorie liffe to the everlasting, and out of the chiefe chaire of this towne, whereof hee was to take possessionn, unto a better and more glorious seate in Heaven, (as wee all hope, and as the integritie of his life gives us assuraunce of,) after his decease, (which was deservedly much lamented,) the Corporationn made choise of Nicholas Lynch Fitz Jonikin, Alderman, to be Mayor for the said yeare: 1629.

"Nicholas Lynch Fitz Jonikine, Mayor; Stephen Lynch, his son, [fol. 153]. Recorder; Martin French and Alexander Bodkin, Shirifes, 1629.

List of "The Councell."

"Galwey, xxxiiii September, anno Domini, 1631; coram Nicolao Linche, Maiore, et sociis suis. fol. [153b].

"Memorandum: That, the day and yeare aforesaid, in a Generall Assembly held by the Maior, Burgesses and Comonaltie of the towne of Galwey aforesaid, by generall consent and voice, for the comfort, ease and good of this Corporacion, and at the procurement of Sir Vallentin Blake, Knight and Baronet, a principall member thereof, they have reduced and abated all the towne subsidies to thone haulfe, to witt, whatsoever thereof was reared heretofore thone haulf thereof to be forgiven and the other haulf onely of that town subsidie to be reared and collected for the Corporacion's use, and noe more, and to be always received by the collectors appointed by the Corporacion and not by the Maior.

<sup>1</sup> The Ms. does not contain any leaves between those numbered 148 and 152.

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"S. Petri ad Vincula, primo die Augusti, 1630 ; coram Nicolao Linche, Maiore, et sociis suis.

"Memorandum : This day, according to the custome of the said towne, Sir Vallentin Blake, K[night] and Baronet, was ellected and choson Maior, upon condicion that the Mai[or] for the tyme being hereafter shall have for each yeare onely twelve poundes sterling English money and not to intermeddle with the revenues of the tow[n], and to performe and fulfill all former covenants by the former Maiors, and to enter security for the performing thereof, this twelve poundes being the stypend that the old Maiors had for that yeare of their maioraltie, and the said Sir Vallentyne, for the good and ease of this Corporacion, gave his consent and free allowance.

"Memorandum: That, the day and yeare aforesaid, the Courte further concluded that the Recorder of this towne, for the tyme beinge, shall have per annum tenn poundes sterling English money onely and noe more, which said stypend was all that our first Recorder, Mr. Dominicke Martin, had, and Sir Harry Lynch, ellected Recorder after hym.

fol. 154.

"Sir Vallentyne Fitz Water Fitz John Blake, Knight Barronett, second tyme Mayor, in 1630; Stephen Lynch, Recorder ; Francis Blake and Richard Kirowan, Shirriffes, 1630.

List of "The Councill."

fol. 154b.

"Gallwey, xxii die Julii, 1631: Coram Valentino Blake, Milite et Barone, Maiore dicte ville, et sociis suis.

Upon great complaint and much grivance of our merchauntes and chiefest traders of this Corporacion, and of their daylie losses sustained in the ventring of their goods by sea, as will plainly appeare, to the utter undoeing and altogether impoverishing of many of the best . . .<sup>1</sup> of them, to the utter ruine and decay of their wives, children, and family, and witha[1] highly complained in all former years till this last yeare of Sir Vallentin Blake his Maioralitie, of the great chardge of subsidy which is nowe reduced to a moytie, besides his Majestie's great customes, and for these many yeares those great soomes so taken up being converted and turned to noe good use nor benefit for the body nor yet for the common wealth of this Corporacion, but altogether converted to divers of the former Maiors and liberally given away (by them [who] payed nothing of it), by the augmentacion of stypendes and gifts, with other needless disboursments, that at every yeare's end, notwithstanding the greate receiptes of soomes of money, it falls out nothing to be paid nor yet left for the use nor good of the Corporacion ; and withall and besydes all, as aforesaid, when any tax or levieng of moneyes commes upon them, then presently a cutting is made upon the whole inhabitantes and soe levyed, to their utter ruine and their common purse left empty, as aforesaid, whereby they still hope . . .<sup>1</sup> to have some reliefe thereout. Tyme out of mynd, all our former auncestors Mayors of this Corporacion, well knowen be their actes and woorthy government, had noe more stypend allowed them by the Corporacion but twelve pounds sterling in their yeare. The world may see what great and good common worckes, and specially their walles and streetes, have each of them don in the tyme of their Maioraltie : and of late yeares a worthy gentleman, Sir Thomas Rotherham, Knight, being ellected Maior, made some suit to the Corporacion to bestowe upon him that yeare one hundred poundes, which, as is said aforesaid, was . . .<sup>2</sup> graunted by them that were noe paymasters of it. Soe

<sup>1, 2</sup> Ms. indistinct.

that the Maiors succeeding him tooke the advantadge thereof and have made meanes to be their owne paimasters, forgetting their auncient and former predecessors' stypend allowed them upwards of one hundred and thertie yeares past :

"Likewise complaint being made concerning the Recorder of the unreasonable stypend given to a stranger in the tyme of one of our late Maiors, being thertie pounds sterling, which before was never allowed nor given to any of our former Recorders, but onely ten pounds sterling, they beinge of our naturall body of this comon wealth and learned in the lawe :

"All these aforesaid grivances being duely and truly considered by the Maior, Recorder, Aldermen, Shirriffes, Privy Counsell and the whole body of the Corporacion have ordered, established and confirmed for ever that noe Maior nor Recorder ever hereafter elected by the Corporacion shall have noe more stypend allowed him then the old auncient twelve poundes sterling, as this Maior, Sir Vallentyn Blake, had, and the Recorder ten pounds sterling, as this Recorder, Mr. Stephen Liuch, had and so to continue successively and for ever. It is also enacted, established and confirmed that, afore any of them that shalbe put forth in electing for Maioraltie, afore he be elected [he] must give sufficient boundes to performe and accomplish all, as aforesaid.

"VALLENTYNE BLAKE, Mayor.

"Geoffrey Martyn, Mayor; Robart Kirowan and John French Fitz fol. 156<sup>1</sup>. Stephen, Shirriffes, anno Domini 1631.

List of "The Councell."

"Galwey, 9 die Decembris, 1631 : Coram Galfrido Martin, Maiore fol. 156b. dicte ville, et sociis suis.

"Whereas, for many yeares successively, before the last yeare of the Maioraltie of Vallentin Blake, the Maiors of this towne had and received one hundred poundes for their stipend for the yeares of their Maioraltie respectively, with the allowance of the Corporacion, and that, upon their allowance of that stipend, it was provided and likewise enacted by the Corporacion generally assembled that [the] said Maiors, receiving the said stipend of one hundred poundes, should not take, receive, exact or intermeddle with any part of the towne subsidies, revenews or any other public perquisites belonging to the Corporacion. And where, uppon the ellection of the said Sir Vallentin Blake to be Maior, for the common good and benefit and easement of the Corporacion, he freely and voluntarily consented to accept of twelve pounds for his stipend, according the old custome . . . , now, at the request of Mr. Geoffrey Martin, Maior, to the Corporacion assembled, concerning the great charge and burthen of his place, for to have the accustomed stipend of one hundred poundes, it was thought fit and soe ordred and enacted by the consent and assent of the Corporacion, thereunto assembled in their Towlsell the day and yeare aforesaid, that for the good services the said Geoffrey Martin hath for many yeares hetherto do[ne] to the Corporacion, tending to their common good and benefit, he shall and may have for his stypend one hundred poundes sterling for this year of his Maioraltie, as his predecessors had for many yeares, upon the same conditions that are set downe in the tyme of the Mayoraltie of Doctor Thomas Linche,<sup>2</sup> notwithstanding the act, order or constitucion conceived the last yeare in the time of the Maioraltie of

<sup>1</sup> Fol. 156 follows fol. 154 in the Ms.

<sup>2</sup> A.D. 1625. See p. 471.

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Sir Vallentyne Blake, or any former acte, order or constitucion whatsoever.

"Geffrey Martin, Mayor.

fol. 157.

"Galwey, the twenty-third day of Aprill, 1632: Coram Galfrido Martin, Maiore ville Galwey, et sociis suis.

"After our hartie commendaciones: You may remember with how much importunitie you sollicited us by several letters to restraine the exportacione of corne from that porte [of Galwey] pretending an extraordinary dearth and scarcitie of graine in those partes, and albeite wee found reason to doubt (as by our letters wee signified to you) that your request in that particular was accompanied with some secundarie respectes not then made knowne unto us, yet, in respect of the specious pretences you made, wee did incline to your request, being unwilling to deny anie thing that might conduce to the publicque good. Since which time wee have received certificate from divers of the principall gentlemen of the county of Galwey, affirming that there is plenty of corne there and that a Bristoll-bond barrell of wheat is usually sould for ix*s. iiij*d.** in the markets in that county, and that ther is no apparent danger of any dearth there.

"If this certificate be true, (which wee have noe reason to doubt, considering the qualities of the persones from whome it comes,) then have you much abused us in presuming by misinformation to drawe from us a direction in prejudice of the country; and therefore we have thought fitt to send you heere inclosed a coppie of the said certificate. to the end you may see upon what ground wee question the truth of your informacion. And wee hereby require you, all excuses sett apart, to make your personall and undelayed apparance before us, to the end you may either justifie your informacion or bee procided against, for your miscarriage towards us, in suche sorte as we shall thinke fitt.

"And soe wee bid you farewell, from his Majestie's Castell of Dublin. xvii. April, 1632.

Ad[am] Loftus Canc.<sup>1</sup>

John King.

R[ichard] Corke,<sup>2</sup>

John Bingley.

Ad[am] Loftus.<sup>3</sup>

To our loving friend, Jeffrey Martin, Mayor of Galwey.

"Wee, whose names ensue, do hereby certifie that the Bristoll barrell of wheate is ordinarylie sould at the marketts of this county of Galwey at 9*s. 4*d.** the barrell, and that there is greate quantitie of corne within the county, and no apparant danger of any dearth to ensue, and that the transportacion of corne out of this countie into foreyne parts would bee a meanes to encorage plowemen to laboure and goe in their vocation, whereas the greate plentie of corne that remaines upon their handes, and which they cannot utter at any saveing price, will dishable and discouradge th[em] to continewe the plowe, the increase of corne being not sufficient at the rates nowe running to defray the charge of it, in that there is greater cause to feare a dearth by the neglecte and discontinuance of the plowe, which shalbe necessarily occasioned by the greate losse which husbandmen receive for want of utterance for their corne than can be expected by occasion of any inordin[ate] transportacion thereof into foreine partes. The 28th of March, 1632.

Thomas Peyton de Tuam.

James Darcy,

Malby Brabazon.

Thomas Lovelock,

Dom[inick] Brown.

Thomas Foster.

Jo. Donnellan,

<sup>1</sup> Chancellor, Ireland.

<sup>2</sup> Richard Boyle, Earl of Cork.

<sup>3</sup> Vice-Treasurer at Wars.

fol. 157 b.



"Whereas the said commaundement and certificat was publickly r[eas]d in open Courte, the day and yeare aforesaid, and that Marcus Linch Fitz John, and Geordge Linch were the procurers of the said comaundement and certificate against the said Geoffrey Martine, Mayor, for restrayning of the exportacion a certaine quantitie of wheate laden by the said Marcus Linch in the harbour or creeke Meary, by the sea side, within the islands of Aren to be transported for the realme of Fraunce without liscence from the Corporacion, in the moneth of March last past, the said Marcus Linch having seene the great scarcetie of corne here at our marckett of the town of Galway, that the poore comonaltie and the King's souldiers, lying in garrison here for the space of three monethes, viz. Januarie, February and March last past, could not have so much corne [in] the marckett for their ready mony for their reliefe as might suplie their present wante.

"And forasmuch as the restrainte of the transportacion of corne in that tyme of scarcitie was by the consent and good allowance of the Corporacion, for the common goode and relife as well of the poor comonaltie as also for the relife of his Majestie's souldiours being in garrison here; and for that also the said Mayor must appeare before the said Lords Justices, in obedience of the said commaundement, and that the Mayor and Corporacion were now at this instant redy to appoynt Walter Blake Fitz Arthor, as their agent to answeere unto dyvers suites depending against them in his Majestie's Courtes at Dublin, the Corporacion have thought fitt to stay the sayd Walter Blake, and ma[ke] choice and apoint the said Mayor to be their agent, as well to answer the restraint of corne in that tyme of scarcitie as also to answeere unto all all other matters depending against them in his Majestie's Courts of Dublin.

"And therefore the Mayor, Sheriffes, Burgesses, and Comonalty of Galway, in an Assembly held by them at the Towlsell of the said towne of Galwey, the xxiiith of Aprill, 1632, aforesaid, have agreide, concluded and condescended that the said Geoffrey Martin, Mayor, shalbe their agent-nowe for Dublin this nexte Easter Tearme, and after as occation shall require, aswell to answeere the restraint of corne in the foresaid barque belonging to the said Marcus Linch, and all other barques or vessels belonging or appertayning unto other personnes that did purpose to entend to transporte any corne within this towne of Galwey, or any other harboures or creekes within the Islandes of Aren, during the foresaid tyme of scarcitie, as also to answeere unto all such matters and suits in lawe as is now depending against the Corporacion in his Majestie's Courtes at Dublin; and that the Corporacion of Galwey aforesaid shall pay and satisfie unto the said Geoffrey Martin, now Mayor, or his assignes, all such costes, chardges and domadges as the said Geoffrey Martin shall hereafter sustaine concerning the premisses,

fol. 158.

"And further the Corporacion hath likewise agreed and condescended that the som of three score poundes sterling, now remayning in the handes of Patrick Martin, of the Corporacion's mony, shalbe presently paid and delivered to the said Geoffrey Martin, Mayor, nowe at his present jurney going to Dublin, with condition that if his charges and expences shall not amount to the said som of three score poundes sterling, he is to restore the residue thereof to the Corporacion, and if it shall happen herafter that the said Geoffrey Martine shall sustaine any costes, chardges, domages and expences any way whatsoever, concerning the premisses, over and above the said som of three score poundes sterling, the Corporacion uppon the true accompt of the said Geoffrey is to make full payment and satisfaction therof to the said Geoffrey Martin, or his

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assembled in the Towlsell, elected George Martyn of Galwey, Alderman, to be Mayor for this present yeare, and Piers Martyn and Johnock Linch were elected and chosen Sheriffs for that yeare. And the Corporacion further concluded out of the towne revenues to pay and cleere the said Sheriffs quietus est because they paid (*sic.*) themselves when they were formerly Sheriffs of Galwey. Dated at the Courte house. the day and yeare aforesaid.

GEFFREY MARTIN, Mayor.<sup>1</sup>

fol. 161.

"Geordge Martin Fitz Walter, Mayor; Peares Martin Fitz Walter and Jonicke Lynch Fitz Peares, Shiriffes; Marcus Martin, Recorder. the nine and twentieth of September 1632.<sup>2</sup>

List of "The Councell."

fol. 162.

"The humble petition of Geffrey Martin of Galwey, Alderman: To the woorshipful the Mayor and Counsell of his Majesties towne of Galwey.

"Whereas the Mayor and Corporacion of Galwey heretofore have allowed to the said Geffrey Martin the yearely stipend of fortie shillinges sterling for keeping the accomptes of all debtes due upon the Conporacion aforesaid and all manner of debtes accompts and other demaundes due to the said Corporacion against divers private persons, in which your petitioner at all tymes hath shewed his care and diligence in performing of that charge according to the trust reposed in him by the said Corporacion.

"Alsoe, in the yeare of the Maioraltie of Nicholas Linch Fitz Jonickin, upon a commission from the Lord Deputie and Counsell, directed to the Maior of Galwey and other Commissioners, for to returne to the said Lord Deputie and Counsell, within a certaine day and tyme therein limited, a true inventorie of all such soome and soomes of money as the said Corporacion of Galwey have disboursed for the use of his Majesties army. And upon the execucion of the said Commission the Maior and Counsell have made choyse of your petitioner to make up a true and perfect inventorie of all such soome or soomes of money levied and lent for the use of his Majesties army. It was then thought fit that in consideration of the paines, care and diligence taken by your petitioner in making the said inventory, and alsoe for his further care and diligence in keeping the accomptes of all the moneyes levied and lent for the use of his Majesties army for the tyme to come, that the said yearely stipend of fortie shillinges should be augmented to the soome of fower poundes sterling) English money per annum, which your petitioner hath hetherunto received accordingly. Nowe, if it shall please your Worships to conferr upon your petitioner during his good behaviour the place of Chamberlaine of this towne, to which office properly belongs to recorde and register the accomptes and writings that concernes the same, and to continue the pencion aforesaid to your petitioner as a stynd to be impropriated to the said office of Chamberlaine, he will, God willing, with the furtherance and assistance of the Maior for the tyme being, performe the covenantes following, viz:

First, that all the debtes which did heretofore growe due uppon the Corporacion these fiftie yeares past, and of the maner of the payment thereof, and likewise all such soome or soomes of money as is yet behinde

<sup>1</sup> A document of 1709-10, inserted in the Ms. between leaves 160 and 161, will be found at p. 519.

<sup>2</sup> See "Facsimiles of National MSS. of Ireland." Part IV.—2, Plate XLIX. London: 1884.

and unsatisfied, all which accomptes are contained in severall papers; noe man whatsoever can gather out of the said severall papers the particulers of all the paimentes heretofore made nor what is yet behinde and unsatisfied but onely your petitioner; and for your better satisfaction in that behalfe your petitioner will make a faire large booke of accompte containinge the particulers of all such soome and soomes of money as the Corporacion did owe by their common seale these fiftie yeares past, and the manner howe the same debt was paid and to whome, and what is yet behinde and unsatisfied, and to whome the same debt is due, so as in the life tyme of your petitioner and afor his decease it shall alwayes appear by the said booke of accompt all the debtes due upon the said Corporacion by their common seale and what is remaining unsatisfied, and to whome; and allsoe what debt is due to the said Corporacion upon private persones and the particular names of all such private persons upon whome the same debt is due.

Secondarilye, that the said newe booke shall containe all manner of debt that shall hereafter growe due upon the said Corporacion and the manner of the paiment, and to whome.

Thirdly, that the said booke shall containe all such some or somes of money as the inhabitantes of the said town of Galway have paid towards the reliving of his Majesty's army and all such some or somes of money lent by the said Corporacion, as well in the tyme of our late Sovereign Lord, King James of famous memory as also by the tyme of our nowe Sovereign Lord, King Charles, and upon what warrant those moneys w[ere] paid, and to whome, as by the particulers in the same shall and may appeare.

Fourthly, that the said newe booke shall containe the accomptes of the Collectors and Receivers of the towne renewes the tyme past, and also for the tyme to come, that thereby the Corporacion may know what was received by the Collectors every yeare, and howe the same was disboursed to the use of the same Corporacion, and also that it may be further knownen what some or somes of money the Collectors have already paid, or will hereafter pay for the Corporacions debt or by the appointment of the said Corporacion, which is very necessarie to be knownen and intred in the said booke of accountes least any man hereafter through forgetfullness or otherwise should demand any second paime[nt], and also if the Collectors themselves should any way fall in areire to the Corporacion in their (*oblit.*) that by the same booke of accompt the Collectors may make paiment and satisfaction to the Corporacion for those areires.

"Fifthly, that all the letters to be written to the State, and all the answers from the State, and all other matters of consequence from the State, shalbe registred and inrolled [in] the said booke, verbatim agreeing with the originall, that the same may be forthcomming to [be] shewed upon all occasions.

A covenant to be performed by the Maior for the tyme being, if your worships thinke it meete and convenient, viz., that all such deedes and other writtings that (*oblit.*) passe either for debt, gift, commission, freedom or otherwise under the common seale (*oblit.*) shallbe alwayes first preferred to the Mayor and Corporacion in a Generall Assembly, and if the Maior and Corporacion, upon good consideracion and lawfull cause, be pleased to graunt the passing of the common seale upon the contentes of any such petition, that the petition and the cause why the common seale should passe shalbe inrolled in the said Geffrey Martin his office, and a certificate under his hand, acknowledging the inrolment thereof, to be first had before the common seale shall passe.

fol. 162 b.

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Also that the Maior for the tyme being shall not hereafter pay or cause to be paid any some or somes of money for the Corporacions debt nor give in any warrant to the Collectors for the paiement unto any private person [or] persones whatsoever, untill, upon the perusing of the said booke of accompt, it shall appeare what some or somes of money is due to any such private person, or whether any parte thereof was already satisfied by the Corporacion, soe as thereby the Corporacion may have nce wrong in matters of accompt, and that every private person may be satisfied of his just and lawfull demaund according to the said booke of accompt. This woorke cannot be well effected except the Maior for the tyme being do give his best further[ance] and assistance to your petitioner for the performance of the covenantes aforesaid. Otherwise, if anything shall passe in the behalfe of the Corporacion without the privytie of y[our] petitioner, all his labour wilbe lost, the said booke of accompt cannot be well kept, nor your petitioner cannot resolve the Corporacion howe thinges hath bene either justly or unjustly carried. All which your peticioner doth referr to your wisdome [to] be considred of.

"Galwey, xxii September, 1633 : Coram Georgio Martin, Maicre, etc.

"The Common Councell, the day and yeare aforesaid, have generally agreed and concluded withall the contentes of the foresaid petition, it being much important to the comon good of this Corporacion. Which was alsoe graunted and agreed upon afterwarde in open Courte.

"GEORGE MARTIN, Meyor.

"MARCUS MARTYN, Recorder.

"PIERS MARTIN, Vice[comes.]

"JOHNECKE LYNCH, Vice[comes.]

- fol. 163. "Patricke Freinche Fitz George, Mayor; George Freinch Fitz Patricke and Walter Blake Fitz Androwe, Shiriffes, anno Domini 1633. Stephen Lynch, Recorder.

List of Aldermen and Councillors.

- fol. 164. "Sir Dominicke Browne, Knight, Mayor, Michell Lynch Fitz Stephen, and Dominicke Lynch Fitz John, Shiriffes, anno Domini 1634; Stephen Lynch, Recorder.

List of Aldermen and Councillors.

- fol. 165. "Nicholas Linch Fitz Marcus, Mayor, anno Domini 1635; William Linch Fitz Androwe, and Christopher Bodkine Fitz Thomas, Sheriffes; Steephon Lynch, Recorder.

List of Aldermen and Councillors.

- fol. 166. "Anthony Lynch Fitz James, Mayor, anno Domini 1636; Goffrey Fount and Dominicke French, Sheriffes; Thomas Lynch, Recorder.

List of Aldermen and Councillors.

- fol. 167. "Sir Thomas Blake, Baronett, Mayor, anno Domini 1637; Marcus Lynch Fitz William, and James Lynch Fitz Stephen, Sheriffes; Thomas Lynch, Recorder.

List of Aldermen and Councillors.

- fol. 167 b. "Comitatus ville Gallvie, xxv. die Januarii, 1638 : Coram Thoma Blake, Baronet, Maiore dicte ville, [cum] sociis suis.

"It is this day agreed uppon in open Courte, by comon consent and most voice, that Frauncis Athy shall hould the parsonnes tiethe within

the parish of St. Nicholas for one whole yeare, beginning uppon Candellmasse day next ensuing the date hereof, and soe to continue from yeare to yeare so long as the Corporacione houldes the same. The said Frauncis Athy, his executors or assignes, yeelding and paying unto the Receavers of the towne revenues every yeare the some of fourteen p[ounds] sterling currant lawfull mony of and in England at one whole and intire payment, to the use of the Corporacions.

“ THOMAS BLAKE, Mayor.

“ Com: ville Gallvie primo die Augusti, 1638: Coram Thoma Blake, Baronet, Maiore dicte ville, cum sociis suis.

“ It is this day agreed uppon in open Court, in a Generall Assembly held by the said Mayor and Corporacione, by comon consent and most voice, that all such Aldermen, Sheriffs, and former Sheriffs shall waite uppon the Mayor in their gownes every Michaelmasse and Lamasse day, and alsoe the coming of the Lords Justices of Asseisses, and at every sessiones, and at burialles, on paine of forfeiting of tenn shillinges sterling for every default of the delinquent.

“ Com: ville Gallvie, primo die Augusti, 1638: Coram Thoma Blake, Baronet, Maiore dicte ville, cum sociis suis.

“ Item, it is this day agreed uppon in open Court, by comon consent and most voice, that every yeare there shalbe elected and chosen two of the Freemen of this towne for to be Receavers and Collectors of all the towne revenues, as well charter customes, subsidies, rentes, and other duties due unto the said Corporacione, and whatsoever two that sha[lbe] soe chosen and elected in open court shall enter sufficient bondes of tw[o] thousand poundes sterling currant English monney for to yeeld a true and just accompt to the said Corporacione of all their receiptes for that yere wherein they are chosen, and the bond to be perfected before they or any [of] them doe medle with any of the Corporacionss monyes.

“ Com: ville Gallvie, primo die Augusti, 1638: Coram Thoma fol. 168.  
Blake, Baronet, Maiore dicte ville, cum sociis suis.

“ A copie of Sir Francis Willoughby, Knight, his comon seal for his freedome:

“ To all Christiane people to whome these presentes shall come: Know yee that wee, Sir Thomas Blake, Barronet, Mayor, Marcus Lynch and James Lynch, Esquires, Sheriffes, and the Free Burgesses and Comonaltie of the towne and count[ie] of the towne of Gallwey, for divers weightie and sundrie good considerations and causes us thereunto moving, have given, granted, and confirmed, like by these presentes wee doe give, grant, and confirm, unto the Honourable Sir Francis Willoughby, Knight, Deputie Lieutenant Governour of the countie of Gallwey and the towne of Gallwey, all the right and privileges of a Freeman of t[he] said Corporacione, and by these presents doe admitt him to be one of the Free Burg[esses] and Freeman of the said towne of Gallwey, in as large and ample maner as any of the Freeman and ancient Burgesses of the said towne have or did enjoy the same. To have and to hould the said Freedome, together with all the liberties, priviledges, immunities, thereunto incidently or belonging unto the said Sir Francis Willoughby, Knight, and his heires, from us the said Mayor, Sherriffs, Free Burgesses and Comonaltie, and our successors for ever In wittness wher[eof], wee, the said Mayor, Sheriffs, Free Burgesses and Comonaltie, have hereunto set our comon seale at our Court house,

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this first day of August, in the ye[are] of our Lord God, one thousand, six hundred, thirtie and eight, and the fourteenth yeare of the raigne of our soveraigne Lord, Charles, by the Grace of God king of England, Scotland, France, and Ireland, Defender of the Fayth, etc.

"Com: ville Gallvie, primo die Augusti, 1638.

"A copie of Thomas Boorke, of Pallice, Esquire, his comon seale for his freedome.

"To all Christian people to whome these presentes shall come, wee, Sir Thomas Blake, Baronett, Mayor, Marcus Lynch and James Lynch, Esquires, Sheriffes, the Free Burgesses and Comonaltie of the town and county of the towne of Gallwey send greeting in our Lord God ever-lasting :

"Know ye that, for the good liking, decerts, and honest behaviour of our welbelovred coozen, Thomas Bourke, of Pallice in the county of Gallwey, Esquire, and many other good causes and considerations us thereunto moving, wee the said Mayor, Sheriffes, Free Burgesses and Comonaltie hath given, graunted and by these presentes for us and our successors doe give and graunt unto the said Thomas Bourke all the right and privileges of Freeman of the said Corporacione, and by these presentes doe admitt him to be one of the Free Burgesses and Freeman of the said town or Corporacione of Gallway in the Guild or Fraternitie of the said Burgesses and Marchantes of the said towne, the said Thomas Bourke to have, use, and enjoie the same libertie and freedome, with the appurtenances, to him and the heires males of his body lawfully begotten, or [to] be begotten, for ever, in as large, ample and beneficiall maner as any other Burgess, Marchant or Marchantes of the auncient inhabitantes of the towne use or ought [to] use the same: Provided allwayes that the said Thomas Bourke and the heires males his body shall pay and beare from tyme to tyme for ever hereafter all scot lott, tax[es], talladges and incombrances raising and falling in the said towne, as by equall contribucions and contribucions with the rest of the neighbours, Burgesses and merchauntes, shalbe assessed and allotted upon them for ever. In wittnes whereof, wee, the said Mayor, Sheriffes, Free Burgesses and Comonaltie, have hereunto set oue comone seale.

"Dated at our Towlsell, or Court-house, in Gallwey aforesaid, the first day of August, in the yeare of our Lord God one thousand six hundred thirtie and eight, and the fourteenth yeare of the raigne of our most gracious soveraigne Lord, Charles, by the grace of God king of England, Scotland, France and Ireland, Defender of the Fayth, etc.

fol. 168b.

[Com:] ville Gallvie, primo die Augustii, 1638: Coram Thoms Blake, Baronet, Maiore dicte ville, cum sociis suis:

"A copie of James Og Lynch his comon seale for tenn poundes a yeare:

"To all Christiane people to whome this present writing shall come. Sir Thomas Blake, Barronet, Mayor, Marcus Lynch and James Lynch Esquires, Sheriffes, and the Free Burgesses and Comonaltie of the towne and countie of the towne of Gallwey, send greeting in our Lord God everlasting: Know yee that wee, the said Mayor, Sheriffs, Free Burgesses and Comonaltie, having taken to our serious consideraciones the long, paynfull and profitable service donne unto us by James Lynch, of Gallwey, gentleman, in the traineing and breeding of the children of the members of this Corporacione for the space of thirtie yeares and upwards in good literature and sciences liberall, have thought fitt in his now

declining age to make him some recompence for his better maintenance and livelihood, and incouragment of others to follow such a generous vocation: In contemplacione and consideracione whereof, and other consideraciones us thereunto moving, wee, being this day assembled in our Towlsell have unanimously given, granted and confirmed, like as by these presents wee doe unanimously give, grant and confirme unto the said James Lynch and his assignes an annuity of tenn pounds sterling per annum, to be paid yearely at the usuall feastes of Michaelmasse and Easter by even and equall porciones. To have and to hold the said annuity to the said James and his assignes for and dureing his naturall life, payable at the dayes aforesaid.

"In wittness whereof, the said Mayor, Sheriffes, Free Burgesses and Comonaltie have hereunto put their comon seale, the first day of August, one thousand six hundred thirtie and eight.

"THOMAS BLAKE, Mayor.

"Com: ville Gallwey, vicesimo septimo die Septembris, 1638: Coram Thoma Blake, Baronet, Maiore dicte ville, cum sociis suis.

"Whereas Anthony Lynch, Fitz James, and Andrew Kirow[an], Aldermen, a[nd] Stephen Kirowan, marchant, have brought a com-aundement from the Right Honorable the Lord Deputie General of Ireland for the Mayor of Gallwey, the Recorder and the Sheriffs for to appeare in Dublin to shew cause, in the behaulfe of the Corporacione, about certaine complaintes made by the said Anthony Lynch and Andrew Kirowan and Stephen Kirowan, as by the same com-aundement then shewen in open court may appeare, it being for the lands of Ballibans in the East Franchises: It was therefor agreed upon, by comon consent and most voice in open court, that, if the said Mayor and Sheriffs be compeled to goe to Dublin, that what cost they be at shalbe out of the comon pursse for to maintaine the said suite.

"Com: ville Gallwey, xxvii die September, 1638: Coram Thoma Blake, Barronet, Maiore dicte ville, cum sociis suis:

"Item, it was agreed upon the same day in open court, by comon consent and most voice, that Sir Thomas Blake, Baronet, Mayor, shall overs[ee] the comon woork now in hand over the great gate before it be finished.

"THOMAS BLAKE, Mayor.

"xxvii. die Septembris, 1638.

"Item, in open Court, James Kirowan and Andrewe Martin weare elected Receavers of the towne subsidies, duties, customes and revenues for the next yeare, upon a condicione as aforesaid.

"To the Right Worshipfull, the Mayor, Aldermen, Burgesses, Com- fol. 169.  
onalties and whole Corporacion of Gallway:

"Humbly shewing unto your woorshipfulls Marcus Lynch and James Lynch, Esquiers, Shiriffes of this county of the towne of Gallway for this present yeare, that whereas all or most parte of your comon ground are reduced to incloseres and parkes to certaine particulare and speciall men of the towne for rents to be reserved to your common use, as you all doe well know, which said lands heartofore answered rentes and duties to the Shirriffes or Balliffes of this towne, and you alsoe haveing full notice of the extraordinary trobles and dangers the said Sheriffes must suffer in respecte of their place, as well for the saultie in their gaole of the King's prisoners as in returning all his Highness writts and commaundes to them to be directed upp to Dublin and their extraordinary charges in casting or cleiring their account in his Majestie's

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Court of Exchequer : In consideration whereof that your woorships may be pledge[d] freely to give them, the said Sheriffes, the rents now growing due for this present yeare out of the said common ground as a helpe towards the cleering of their quietus est, and they shall ever praye, etc.

"Memorandum : That the Comon Cownsell of this towne did consider of this petition, and allowed to the Shirriffes for the time being the collecting of all fines due to this Corporacion, as well in their quarter seissones as otherwise wheresoever ; and that the said Shirriffes for the time being of the same towne shalbe accountable therefor to the said Corporacion and shall have thereout such competent allowance to the Corporations pleasure, and that noe Shirriffes thereof shalbe otherwise relived. And this act was confirmed in publiqe Court by the Mayor, Recorder, Aldermen, frece Burgesses and Commonalties then assembled in their Common Halle, which therfor shall stand with us of forme for ever.

"THOMAS BLAKE, Mayor.

fol. 170.

"Sir Robuck Linche, Barronett, Mayor, A.D. 1638 ; Thomas Lynch Fitz Ambros, and Peeter Lynch Fitz Peeter, Shirriffes ; Thomas Lynch, Fitz Marcus, Recorder.

"Aldermen :

- |   |  |
|---|--|
| 1. Sir Thomas Rotherhame, Knight and one of his Maiestie's Most Honorable Privie Counsell of Ireland. | 11. Nicholas More Lynch, Alderman.           |
| 2. Sir Thomas Blake, Baronett, Mayor of the Staple.   | 12. Nicholas Martin, Alderman.               |
| 3. Sir Richard Blake, Knight.   | 13. Frances Blake Fitz Vallentyne, Alderman. |
| 4. Sir Dominicke Browne, Knight.  | 14. James Darsey Fitz Nicholas, Alderman.    |
| 5. James Oge Darsey, Alderman.  | 15. Andrew Kirowan, Alderman.                |
| 6. Andrew Lynch Fitz John, Alderman.  | 16. John Bodkin Fitz Dominicke, Alderman.    |
| 7. Patricke Martine, Alderman.  | 17. Walter Lynch Fitz James, Alderman.       |
| 8. Geoffrey Martin, Alderman.   | 18. Andrew Darsey, Alderman.                 |
| 9. Olliver Martin, Alderman.  | 19. Androwe Browne Fitz Dominicke, Alderman. |
| 10. Patricke French Fitz George, Alderman.  |  |

"Counsell :

- |  |   |
|--|---|
| 1. Sir Vallentyne Blake, Knight.           | 11. Peares Martine Fitz Walter, Burges. |
| 2. Patricke Darsey, Esq.                   | 12. James Kirowan Fitz Thomas, Burges.  |
| 3. Richard Martine, Esq.                   | 13. Henry Joyes, Burges.                |
| 4. John Blake, Esq.                        | 14. Robertt Joyes, Burges.              |
| 5. Geoffrey Browne, Esq.                   | 15. Jasper French Fitz Andrew, Burges.  |
| 6. Patricke Kirowan, Esq.                  | 16. Jasper French Fitz Peeter, Burges.  |
| 7. James Darsey, Esq.                      | 17. Walter Browne Fitz Thomas, Burges.  |
| 8. Thomas French Fitz Vallentyne, Burges.  | 18. Edmund Kirowan, Burges.             |
| 9. Walter Blake Fitz Arthoure, Burges.     |   |
| 10. Androwe Browne Fitz Dominicke, Burges. |   |



19. John Blake Fitz Nicholas, Burges.  
 20. Alexander Bodkin, Burges.  
 21. William Lynch Fitz Andrew, Burges.  
 22. Richard Kirowan Fitz Thomas, Burges.  
 23. Michell Lynch Fitz Stephen.  
 24. Dominicke . . .

“Comitatus ville Gallvie, x. die May, 1639: Coram Roberto (*sic*) fol. 171.  
 Lynch, Baroneto, Maiore dicte ville, et socis suis, etc.

“Memorandum. That, the day and yeare aforesaid, in the Towlsell or Towne hall of Gallway, in a Gennerall Assembly held by the aforesaid Mayor, Alderman, Recorder, Shiriffs, Free Burgesses and Comonaltie of Gallway aforesaide, for the furtherance of the goode thereof, they all have and doe agree and conclude that at the common charge of this Corporacion all grauntes and giftes, under their common scale, of shops neere or at the market thereof shalbe bought. And forthwith afterwards likewise out of their comon pursse and charge the same shopps and all the place of the saide markett that side as farr on the stone wall there being, which extends itselfe to the way into our parish Church of St. Nicholas, neere the kitchen and entry of Robert Martin, Alderman, deceased, his dwelling house shall be pulled downe, and soe all the same to be reduced into a strong, sufficient stone house, covered with stone slate, and to be underpropped with good stone pillars, whereby way through it shall be to the saide church as formerly it hath beene, and the upper partes to be made a faire comon Hall or Towlsell with convenient cham[b]ers for the Common Counsell, and Town Clarke, for the safe keeping of all the towne records and writings, and finally they all doe conclude that yearly all the rents, duties, customes, snbsidies, and revenues whatsoever, growing and ariseing to this Corporacion shalbe expended in and about the premi-ses, untill it be effectually erected, except the annall paying of the Corporacion's officers, their salaries, and other rents and duties to his Majestie, and the expences of suites in lawe.

“ROB: LYNCH, Mayor.

“[Comitatus ville] Gallwey, vicesimo octavo die Septembris, 1639: fol. 171b.  
 Coram Roberto Lynch, Baroneto, Maiore dicte ville, etc.:

“Memorandum: That, the day and yeare aforesaid, in the Towlsell or Towne Haule of Gallwey, a Gennerall Assembly held by the aforesaid Mayor, Alderman, Recorder, Shereffes, Free Burgesses, and Cominaltie of Gallway aforesaid, it was agreed and concluded as followith:

“Whereas John Hardinge, Clarke, Vice-Provost of the Colledge of of Dubline, hath beene, by the unanimous consent and vote of the Mayor, Sherriffes, Free Burgesses and Cominaltie of this towne of Gallway, choson and elected Wardyn of the King's College of Gallway: The said Maycr, Sheriffes, Burgesses, and Cominaltie this day takeing into consideration the dilapidations and ruynes of the said Colledge and the meanes and liveinge thereunto belonginge, as also the meritt and integritie of the said John Hardinge, and his willingenesse to doe good in that place, and to restore the said Colledge to a decent state and order for the service of God, to the credit and ornament of this town, and to the honnour and memorie of the founders and benefactors thereof, have, therefore, for the better inhableinge and encouragement of the said John Hardinge in his so pious intentions, and by way of thanckfull acknowledgment to the Right Honnorable the Lord Deputy, and the Honnorable Sir George Radcliffe, for their favours, who are pleased to recomend the said John Hardinge unto us, concluded, agreed and

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promised, for us and our successors, that wee, the said Mayor, Sheriffes, Burgesses and Cominaltie, shall everie yeare duringe the naturall life of the said John Hardinge, upon the feast of Saint Peeter ad vincula, accordinge the power and priviledge given and graunted unto us by letters pattent under the broade seale of Englande, bearinge date the ninth of Aprill, in the fourth yeare of the raigne of King Edward the sixt, elect and choose the said John Hardinge to be Wardyn of the said Colledge of Gallway accordinge the tenor of the said letters pattentes, he, the said John Hardinge, demeaninge himselfe well and as becometh the duty of his place and his integritie to this Corporacion :

Provided allwayes that, if this act should any way tend to the avoyd-  
ance of the said letters pattentes, or to the losse of any priviledge or  
intrest thereby graunted unto us, that this act and every thinge therein  
contayned be taken for voyde, and as if it had never beene spoken or  
agreed upon.

“ ROB: LYNCH, Mayor.

fol. 173<sup>1</sup>.

“ John Bodkin Fitz Dominicke, Mayor, A.D. 1639; Marcus Kirowan  
and Frances Athey, Sheriffes; Thomas Lynch Fitz Marcus, Recorder.  
List of Aldermen and Councillors.

fol. 174.

“ Frances Blake, Esquier, second son to Sir Vallentyn Blake, Knight  
and Baronett, Mayor, 1640; Geoffrey Blake and Martin Lynch,  
Shirriffes; Thomas Lynch Fitz Marcus, Recorder.  
List of Aldermen and Councillors.

fol. 176<sup>2</sup>.

“ Com : ville Galway, 27 Septembris, 1641 : Coram Francisco Blake,  
Armigero, Maiore dicte ville, cum sociis suis :

“ The coppie of Richard Dillon, of Cloonbrocke, Esquire, and John  
Browne, of the Neale, Esquire, their common seale for their freedome.

“ To all Christian people to whome theise presents shall come wee.  
Francis Blake, Mayor, of the towne of Galway, Geoffrey Blake, and  
Martin Lynch, Sherriffes of the same, and the Free Burgesses and  
Comonalty of the said towne send greeting: Know yee that wee, the  
said Mayor, Sherriffes, Free Burgesses and Comonalty, for divers good  
consideracions us moveing, and especially at the request and humble  
suite of our well-beloved brother, Sir Dominicke Browne, Knight, one  
of our Alderman of the saide towne, made to us at our Generall  
Assemblee houlden in our Towlsell or Courte-house, the first day of  
August last past, in the behaulfe of his sons-in-lawe, John Browne, of  
the Neale, in the county of Mayo, Esquire, husband unto Mary Browne,  
the eldest daughter of the said Sir Dominicke Browne, and Richard  
Dillon, of Cloone Brocke in the county of Galway, Esquire, husband  
unto Gennett Browne, daughter alsoe of the said Sir Dominicke  
Browne, have, for us and our successors, given and granted, like as by  
theise presentes wee doe give and grant, unto the said John Browne and  
Richard Dillon, and the heires males of their body begotten, and to be  
begotten, upon the bodyes of the said Mary Browne and Gennett  
Browne, for ever, that they and every of them successively shall and  
may be Free Burgesses of the said towne, and doe by these presents, for  
us and our successors, give and grant unto the said John Browne and  
Richard Dillon, and the heires males of their bodyes by the said Marv  
and Gennett, as aforesaid, for ever, all and every the libertyes,  
priviledges, advantages, immunityes profittes and emolumentes whatso-  
ever, in as lardge and ample manner as any Free Burgesse of the said  
towne hath had or enjoyed or heereafter shall, may, might, or ought to

<sup>1, 2</sup> The Ms. does not contain leaves numbered 172 and 175.

have or enjoy by vertue of anie grants to us made or to be made by our Sovereigne Lords, Kings and Quenees of England. In wittness wheareof, wee, the said Mayor, Sherrifes, Free Burgesses and Comonalty, have heereunto put our common seale this six and twentyeth day of September, in the yeere of our Lord God, 1641, and in the seaventeenth yeere of the reign of our Sovereigne Lord, Charles, by the Grace of God, King of England, Scotland, France, and Ireland, etc.

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"Sir Walter Lynch Fitz James Fitz Ambros, Mayor, anno Domini, fol. 177.  
1641; John Martin Fitz Geoffrey, and William Martin Fitz Nicholas, Shiriffes, Thomas Lynch Fitz Marcus, Recorder.

Sir Thomas Rotherham, knight,	Nicholas More Lynch, alderman.
alderman, and one of his	Vallentyne Blake, knight and
Majesties most honorable	baronett, alderman.
Privie Counsell of Ireland	Nicholas Martin Fitz John, alder-
Sir Robucke Lynch, barronett.	man.
Sir Thomas Blake, barronett.	James Darsey Fitz Nicholas,
Sir Richard Blake, knight.	alderman.
Sir Dominicke Browne, knight.	Andrew Darsey, alderman.
Frances Blake, mayor of the	Walter Blake Fitz Arthur, alder-
staple.	man.
James Oge Darsey, alderman.	Androwe Browne Fitz Dominick,
Andrew Lynch Fitz John, alder-	alderman.
man	Walter Browne Fitz Thomas,
Andrew Lynch Fitz John, alder-	alderman.
man.	Stephen Martin, alderman.
Oliver Martin, alderman.	Edmund Kirowan, alderman.

#### Counsell :

Patricke Darsey, esquire.	Michell Lynch Fitz Stephen,
Richard Martin, esquire.	burgess.
..... esquire.	Dominicke Lynch Fitz John,
Geoffrey Browne, esquire.	burgess.
Patricke Kirowan, esquire.	John Lynch Fitz Anthony,
James Darsey, esquire.	burgess.
Pears Martin Fitz Walter,	Martin Lynch Fitz Anthony,
burgess.	burgess.
Henry Joyes, burgess.	Robertt Deane, burgess.
Jasper French Fitz Androw,	Nicholas Blake Fitz Anthony,
burgess.	burgess.
Jasper French Fitz Peeter,	Thomas Butler, burgess.
burgess.	Geoffrey Fonth, burgess.
Nicholas Blake Fitz Robert,	Henry Blake Fitz Robertt,
burgess.	burgess.
Alexsander Bodkin, burgess.	John French Fitz Edmondnd,
John Blake Fitz Nicholas,	burgess.
burgess.	Oliver Oge French, burgess.
Richard Kirowan, burgess.	Dominick Roe French, burgess.
William Lynch Fitz Androwe,	Stephen Lynch Fitz James.
burgess.	Thomas Lynch Fitz Ambrose,
Walter Browne Fitz Marcus,	burgess. <sup>1</sup>
burgess.	

"Richard Martine, of Dungorie, in the countie of Galway, Esquier, fol. 179<sup>1</sup>.  
in the fortieth yeare of his adge and in his absence, was chosen Alder-

<sup>1</sup> The Ms. does contain a leaf numbered 178.

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man of this towne, the first day of August, 1642, and the same day with the unanimous vote of the towne chosen Mayor, contrarie to custome, which ellection he renounced, and, his renunciation being not accepted, at the instance of the Corporation and of manie honorable persons he tooke that place upon him, Michaellmass day the yeare aforesaid, to the generall content of all the inhabitantes of this towne.

John Blake, Recorder.

Domnicke Skerrett and John Bermingham, sheriffes.

Martin French, chamberlin.

"Here incert all the officers [*sic*].

"CHRISTOPHER FRENCH, Notarie Publicke.

"Sunday, 18 Junii 1643. Mass super altari portabili i.e. Saint Nicholas his parochiall church, and a sermon theare preached by Father John Kegan, of the Societie of Jesus.

Sunday, 25 Junii, 1643. Mass was sayed in Saint Francis his Abbeye, and Father Valentyn Brown then preached theare. Upon which daye Captain Anthony Willoghbye<sup>1</sup> surendred the forte, and parted awaye the same daye in the Bonaventure, comaunded by Captzin Richard Swanly, Vice-Admirall, the Providence, comaunded by William Brookes, Reare-Admirall, and in the two pinnaces and in one barke lent them for their passage from the towne.

"The fifteenth of August, 1643, upon the feast day of the Assumption of the ever glorious Virgin Mary, Moother of God, being the birth day of the (*oblit.*), the first generall procession after the restauration<sup>2</sup> of Saint Nicholas his church aforesaid was made, and in the procession amonge the Mendicants<sup>3</sup> this order was observed: First went the Carmelits; then the Eremites of Saint Augustin; then the Franciscans; then the Dominicans; with a salvo jure of the Franciscans and Augustins.<sup>4</sup>

fol. 179b.

("This yeare, the east south east rampier of Galway, beginning at the bullworke of the east gate and drawing down from thence to the little bridge leading to St. Augustin's Abbeye, begun and considerable proceeded in in ould tyme by this Corporacion, was this yeare recontinued and raised to a good height and was compounded for to be finished at the publicque and common charge of this towne.

"This yeare, the walle at the kaye, beginning at the worke made in the tyme of the Mayoraltie of William Martin, leadinge from thence south west to the river in the place called Wallcshead, was built at the publicque and common charge of this towne.)

fol. 182.<sup>4</sup>

"Sir Vallentyn Blake, junior, knight and Baronet, Mayor, anno Domini, 164[3].

John Blake, Recorder.

Olliver Oge French, John Kirwane, Shirifes.

Martine French Fitz Gregory, Chamberline and Escheator and Coroner.

<sup>1</sup> See "History of the Irish Confederation and war in Ireland, 1641-43." Dublin: 1882.

<sup>2</sup> Ms. fol. 179b., "reconciliation."

<sup>3</sup> "Mendicant" Orders of the Church.

<sup>4</sup> The preceding entries for 1643 are on leaf 179, which contains at head the record of the Mayor and officials for 1642. The entries appear again on 179b, with the additions, as above printed within parenthesis. Leaves numbered 180 and 181 are not in the Ms.

## The Toune Councill :

Sir Thomas Rotherham, knight and one of his Majesties most honorable Privie Councill in Ireland, alderman.	Thomas Lynch Fitz Marcus, alderman.
Sir Robert Lynch, baronet, alder- man.	Nicholas Blake Fitz Robert, alder- man.
Sir Richard Blake, knight, alder- man.	Jasper French Fitz Andrew, bur- gess.
Sir Dominick Browne, knight, alderman.	Jasper French Fitz Peeter, bur- gess.
Richard Martin, mayor of the staple.	Richard Kirwan, burgess.
Nicholas More Lynch, alder- man.	Steephen Lynch Fitz James, bur- gess.
John Bodkine Fitz Dominicke, alderman.	Edmond Skerrett, Esquire.
Frances Blake Fitz Vallentine, alderman.	Martine Lynch Fitz Anthony, burgess.
Walter Reagh Lynch, alderman.	Michaell Lynch, burgess.
Olliver Martine, alderman.	Thomas Lynch Fitz Ambrose, burgess.
James Reagh Darcy, alderman.	Geffrey Font, burgess.
Andrew Darcy, alderman.	Walter Blake Fitz Andrew, bur- gess.
Walter Blake Fitz Arthur, alder- man.	James Lynch Fitz Steephen, bur- gess.
Walter Browne Fitz Thomas, alderman.	Marcus Kirwan Fitz James, bur- gess.
Edmond Kirwan, alderman.	Marcus Lynch Fitz William, bur- gess.
John Blake Fitz Nicholas, alder- man.	William Lynch Fitz Andrew, bur- gess.
	Allexander Bodkine, burgess.

“Councill learned in the law, members of the said Town Councill :

Patrik Darcy, esquire.	Patrike Kirwan, esquire.
Geffrey Browne, esquire.	James Darcy, esquire.

“CHR[ISTOPHER FRENCH], No[tary Public].

An order<sup>1</sup> declaringe the right of precedencie in stations and pub- fol. [183.]  
licke meetings within the countie of the towne of Galway, wherein  
nevertheless is meant and intended that Baronetts and Knights shall  
hould and enjoye the places and precedencie to them of right due :

The Mayor.	Lawyers, barristers, in their gownes, whoe did practize, ac- cordinge their senioritie.
The Recorder.	
The Mayor of the Staple.	Constables of the Staple or late Sheriffs.
Teh Aldermen that boare office, by their senioritie.	All other Sheriffes that boare office, accordinge to their antiquitie of office.
The Sheriffes for the tyme beinge.	The fower captains of the fower quarters.
The Captaine of the Youngmen.	All other Burgesses, accordinge to their seniority of house- keepinge.
Lawyers that were Recorders, with their gownes.	
The Coroner in his goune.	
The Chamberlin and Escheator, in their gownes.	

<sup>1</sup> This document is undated and is between the leaves of the Ms. which contain records for 1643 and 1644.

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"That none shall challenge anie place amongst the before-named Aldermen, Sherifes, and Barristers but such as shall goe in gownes, exceptinge the said Captaine of the Youngemen. And wee thinke it fitt and soe doe order that all Assemblies and station tymes that all the aforesaid persons respectivelie shall take their places as is aforesaid sett downe, and such person or persons as shall not conforme themselves to this our order that they may absent, refraine, and withdrawe themselves from the said companies or meetings, least that theare may be any muttenie or disorder in the said companies or meetings.

"Wee think fitt that, accordinge to the ould custome, none shaib-lected Aldermen but such as boare the office of Sheriffe, or are or hereafter shalbe made and declared Sherifes peeres, first in Councell and next at the Towellshell, in a Common Assemblie to be theare heald upon Lammas or Michaelmas day.

Dominicke Browne.

Martin French Fitz Gregorie.

Frauncis Blake.

Thomas Lynch Fitz Ambrose.

Walter Blake Fitz Arthour.

Marcus Lynch Fitz William.

Edmond Kirowan.

John Martin Fitz Geffreye.

Nicholas Blake Fitz Ro[bert].

Frauncis Athye.

fol. 184.

"James Darsey Fitz Nicholas, Esquier, Mayor, Anno Domini, 1644; John Blake, Recorder, Dominicke Darsy and Robert Martin Fitz Jasper, Sherifes.

List of "the Towne Councell."

fol. 185.

Edmond Kirowan Fitz Patricke, Maior, 1645; Dominicke Browne and Martin Kirowan, Sherifes; John Blake, Recorder.

List of "the Towne Councell."

fol. 185b.

"Councell learned in the lawes, and members of the Town Councell:

"Patricke Darcy, Esq.

Christopher Ffrench, Nottarie

Geffrey Browne, Esq.

Publicke and Clerke of the

Patricke Kirowan, Esq.

Councelle.

Stephen Ffrench, Esq.

"This yeare, the triangular bulwarke or flancke, made and erected aboute the lyons toure for the common defence as well of the east as north-east parte of the towne wales, as for the defence of the Abbey of Saint Francis and of the little gate, was built at the publicke and common charge of the Free[men] and Commons of this towne.

fol. 186.

"This yeare, thehowse built before the markett place uppon pillars and arches of hewed stones, begunn and considerably proceeded in, in the time of the Maioraltie of Sir Robuck Lynch, Barronett, was recontinued and raised to a good height, and by order of Courte was left to the charge of the now Mayor, Edmond Kirwan, to be finished at the publicke expence, and cost of the Corporation.

fol. 188.<sup>1</sup>

"John Blake Fitz Nicholas, Esquire, Maior, Anno Domini 1646; Dominicke Blake and Nicholas Bodkin, Sherifes; John Blake Fitz Robert, Recorder.

Lists of the Town Council and "Councell learned in the law."

fol. 188.\*

"By vertue of an order unto me directed from the Supreame Councell, I authorish and require six souldiers of the foote company of Captaine Edward Browne to repayre unto Ullicke Oge Burke, Conly Tulley, and Marcus Tulley, Collectors in the Barrony of Dunkellyn, and there to cesse themselves uppon the said Collectors and there to remaine untill the said Collectors doe produce my discharge unto the said souldiers for

<sup>1</sup> The Ms. does not contain a leaf numbered 18<sup>7</sup>.

\* Of the Irish Confederation.

their severall chardges of collections, and the said souldiers are to take thre pence per diem for each souldier, with compettent meate and drinke, and for their soe doing this shalbe their warrant at their perills, as they shall answere to the contrary. Given at Galwey the 9th day of Junii, 1646.<sup>1</sup>

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“JOHN BLAKE [Mayor].

“Memorandum: That it was ordered the first day of June 1647, fol. 189. upon full Assembly [in] open Court, by the generall consent of the Corporation, that the Excise thirds and tent[h]s to be answered out of the towne and countye of Gallway for this yeare, begineing uppon May, 1647, and ending in May, 1648, shalbe feared by the towne from the Commissioners Generall of Connaught, for the sume of two thousand foure hundred poundes sterling, in mannere following, viz., one thousand poundes sterling, out of hand, seaven hundred poundes sterling, at or before the xiith of August next, and the other seaven hundred poundes sterling, the first of Aprill next, out of which two last paymentes the proportions of the armyes of the province of Connaught charged on this towne is to be payd from tyme to tyme till May next.

“The same day, Mr. Mayor, Sir Dominick Browne, Knight, Aldermen Edmond Kirwan, both the Sherriffes, Alderman Walter Blake Fitz Arthur, Thomas Lynch, Fitz Ambrose, Peeter Lynch Fitz Peeter, John Bretingham, and Martin Blake Fitz Andrew were appointed to be the said Court to prescribe a course how the foresaid seaventeene hundred poundes should be paid for the said Excise thirds and tent[h]s, being the first payment to be made for the same.

“Another order made the xviiiith day of June, 1647, in the said Court (*sic*) have indifferently chossen, nomynated, and appointed twelve men, to say, Sir Dominick Browne, Knight, Aldermen Michell Lynch, Aldermen Olliver French, Thomas Lynch Fitz Ambrose, John Bretingham, John Kirowan, Marcus Browne, Ullick Athy, Arthur Lynch Fitz Nicholas, Ambrose Bodkin Fitz David, Dominick Martyn Fitz Thomas, and Anthony Lynch Fitz John, that the said twelve men or the maior parte of them shall view the late booke of Excise, and the same so viewed to add, augment or diminish or continewe as they think fitt; and the same, according as is sett downe by them or the maior part of them, shalbe executed and collected by the Commissioners of the Excise.

“In pursuance of all the foresaid orders, first, the Excise thirds and tent[h]s hath beene contracted and agreed uppon be (*sic*) and with the Commissioners Generall, as aforesaid. Secondly, a course hath beene taken by the Mayor and the rest apointed by the Corporatione for the payment of the said seaventeene hundred poundes sterling as also for the last seaven hundred pounds sterling. That is to say, that Walter Blake Fitz Andrew, Marcus Kirowan Fitz James, Peeter Lynch Fitz Peeter, Martin Blake Fitz Andrew, and George Martyn have ingadged themselves by their pennall boundes to the Commissioners Gennerall for the payment of the forsaid summes respectively, in the tymes of payment for which undertaking and paymentes made and to be made they were made and appointed Commissioners, to continew in the said Excise untill they were paid of the said sume of two thowsand four hundred poundes sterling, together with their sallary, as also of under officers and other charges and use of money.

“In the third, in pursuance of the order aforesaid made, the xviiiith of June, 1647, the said Sir Dominick Brown and the rest of the twelve-

<sup>1</sup> This document is on a sheet of paper, inserted in the Ms.

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men, or the major part of them, under their hands have taken a course and made a booke wherein is expressed orders for the levying of an Excise, to continew untill the said two thousand foure hundred pounds, with all other the charges as above said, should be paid unto the said Commissioner of the said Excise, and the surplusadge if any be to be for the Corporacion's use. And for the more playner expression and divoulging of the said Actes of Court and order thereuppon made, wee, the Councell, have thought fitt to record the same in the Mearaltie booke of this Corporation, and in full acknowledgment of the payment and layeing out of the forsaide summes by the said Commissioners of the Excise in redy mony and by their ingagementes be bound for the use of this Corporation. In witness whereof, I have heereunto put my hand as our acts the xxth of June, 1647.

"JOHN BLAKE, Mayor.

"Junii 18th 1647:

fol. 189b.

"This daye it was ordered by the Mayor and Councell that when God be pleased to call any of the Aldermen, or their wives, from this transitory life to the everlasting, at their buriall the Mayor and Aldermen that bore office shall g[oe] in their redd gownes, Aldermen in election, Sherriffes [and] ould Sherriffes to goe in their blacke gownes. And at the buriall of Sherriffes, and of their wives, themselves, Sherriffes and ould Sheriffes to goe in their blacke gownes. And likewise when God is pleased to call to himself the Recorder for the tyme being, or any of the ould Recorders, the Mayor and Aldermen are to goe in their redd gownes, and not at any other buriall whatsoever otherwise then as aforesaid.

"JOHN BLAKE, Mayor.

fol. 191<sup>1</sup>.

"This yeare, the flanker made and erected aboute the newe tower for the defence of the towne wales, as also for the defence of shippinges and barques riding in the Poole, was builte at the publicque and common chardge of this towne.

"JOHN BLAKE, Mayor.

"The same yeare, fowre new leaves were made for the greate gate, and two for the litle gate, at the publicque and common chardge of this Corporacion.

"JOHN BLAKE, Mayor.

fol. 191b.

[Dated] in the Towlsell house of Gallway, the xith day of September, 1647.

"By the Mayor, Sherriffes, Free Burgesses and Comonaltie of the towne of Gallwey:

"Whereas wee have of late credibly heard that a scandalous seditious booke, intituld *Disputatio Apologetica et manifestativa de jure regni Hiberniæ pro Catholicis Hibernis adversus Hereticos*,<sup>2</sup> and have seene breefe noates of the matter containyd in it, full of venomous and virulent doctrines, and damnable treasons against our King and country, hath been lately printed and published most maliciously by entending to distracte and alienat the hartes of his Majesties faithfull Catholique subjects of Irland from their bounden and dutifull allegiance and obedience to their undoubted and lawfull Sovereigne Lord and King, Charles, that now is, King of Great Britaine, France, and Ireland, and

<sup>1</sup> The Ms. does not contain a leaf numbered 190.

<sup>2</sup> The title page bears the imprint of Frankfort, 1645. See "Contemporary History of Affairs in Ireland, 1641-1652." Dublin: 1879-80, vol. i., pp. 667, 739.



that diverse copies of the said booke are dispersed unto severall partes of this kingdome. And albeite wee have made diligent search for finding out the said booke, and for learninge who might be the true authour of soe pestilent a worke, wee have not as yett attained to our desires in that behaulfe, but doe expecte that our ententions therein will shortly take due effectt.

"Wherefore, in the interim, by way of prevention, in manifestacion of our zeall, duity and alleijance to our said Sovereigne Lord and King, Charles, to his heires and lawfull successors, kinges of England, and in full and oppen declaration before God and the world that noe accident which happened in the late government of this kingdome of Ireland shall nor may enduce us to alter or violate our constant sinceare and faithfull loyalty to his Majestie, his heires and lawfull successors, wee thought fitt and expedient and well becomeing us, by our publique and unanimous declaration of our consciences in that behaulfe to protest, like as by these presentes wee doe protest, that wee doe and allwayes will preserve and continue in our faith and allegiance to our said Sovereigne Lord, King Charles, his heires and lawfull successors, and that wee did not nor will embrace nor accepte any other power over us in any temporall things or causes which may any way derogate from his and theire royall prehemineney and authority, or be inconsistent with the same.

"And wee doe likewise protest and declare that wee do utterly detest and abjure the said damnable, seditious booke and doctrine therein contained, and doe and will censure and [con]dame the same, with the author thereof, if wee light on them, to scourching and revenging fire which they deserve.

"And, lastly, wee doe hereby in his Majestie's name straightly chardge and comaund all and every person or persons of what quality, state, condicion or degree hee or they be, within our jurisdiction and limitts of this towne and county of the towne of Gallway, who shall happen to light upon the said booke, the same forthwith to present and deliver upp into the hands of the Mayor or Recorder for the tyme being, under payne of incurring the greatest rigour of the penalyes due and incid[ent] to crymes of the greatest degree, according to the lawes of this kingdome. God save the King.

"JOHN BLAKE, Mayor.

"[Com:] ville Galwey, primo Augusti, 1647 : Coram Johanne Blake, fol. 192. Armigero, Maiore dicte ville, cum sociis suis.

#### The coppye :

"To all Christian people, to whome these presents shall come, wee, John Blake, Esquire, Mayor of the towne of Gallway, Dominicke Blake and Nicholas Rodkine, Sherriffes of the same, and the Free Burgesses and Comonaltye of the said towne, send greeting in our Lord God everlasting :

"Know ye that wee, the said Mayor, Sherriffes, Free Burgesses and Comonaltye, for divers and sundry good considerations us moving, and specially for his (*sic*) and extraordinary meritts and high descent of and allegiance to one of the greatest peeres of this kingdome, and for the greate and extraordinary services by him performed in his Majesty's behaulfe, have, for us and our successors, given and graunted unto

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the Right Honorable Edward Sumersett,<sup>1</sup> Lord Marquesse and Earle of Worcester, etc., and his heires, that hee, the said Lord Marquesse and Earle Worcester, and to his heires for ever, all and every the libertyes, priviledges, advantadages, imunities, profittes, and emollumentes whatsoever, in as lardge and ample maner as any Free Burgesse of the said towne of Gallway hath had or enjoyed, or hereafter shall, may might, or ought to have or enjoye, by vertue of any grauntes to us made, or to be made by our Sovereigne Lordes, Kinges and Queenes of England.

"Lieutenant-General John Burke had his freedome the same day.

"JOHN BLAKE, Mayor.

"September 27th, 1647.

"Memorandum: That it was this day agreed upon, in oppen Courte and full Assembly, that the fortification begun in the Meralty of the now Mayor, John Blake, Esquire, shall goe forward, and the said John Blake is appointed overseer of the said worke, together with Walter Joes, to see the same finished.

"It is likewise ordered that all the arreares now due unto the towne shalbe employed towards the finishing of the said worke, and they to have power to issue their warrants calling to their assistance the power of the county of the towne to execute their warrantes.

"Edmond Shagnashy had his freedome.

"JOHN BLAKE, Mayor.

fol. [198].

"Walter Blake, Knight, Mayor; Martin Blake Fitz Andrew, and James Blake, Sheriffes; John Blake, Recorder, 1648, Michaelmas and October.

List of the Town Council.

fol. 198<sup>2</sup>.

"The humble petition of the Abbess and Convent of St. Clara, now resident in Gallway, to the Right Worshipfull the Mayor, Sheriffes, Free Burgesses and Comonalty of the towne of Gallway:

"Shewing that your petitioners, members of this corporacion, did some yeares sithence forsake the world for to serve the Almighty, and what through the distempers of the tyme and through God's holy will, have suffered great affliction these seaven yeares past, and in this necessity, as bound by nature, repaired to this towne. Shewing further that through necessity by reason of the tymes their parents and friends are unable to furnish their wants as in peacable tymes they have intended, and that your poore petitioners doe suffer much by the exorbitant rent they pay, and, notwithstanding their due payment, are to be thrust out of their dwelling next May, their lease being then ended. The premisses considered and taken to your consideracion the inconveniencie of religious women whoe want habitacion, the conveniencie of their residence [to] this place, the prefferment of your children though (*sic*) poore shalbe releved by God's assistance in our Convent, the everlasting prayers to be made for yow, the glory of God, the preservacion of the towne by your petitioners and their successors their intercessions, the honor of Galway to be founders of such a monasterie, the petitioners humbly pray that you may be pleased to graunt them sufficient roome for building a monasterie and roomes convenient thereunto a garden and orchard in the next illand adjoining to the bridge of Illanalltenagh; and for that your petitioners building wilbe rather a strength then any annoyance, hinderance, or impeachment either to the highway leading to the other island or to the

<sup>1</sup> He was previously Earl of Glamorgan, and succeeded his father, Henry, Earl of Worcester, on the death of the latter in December, 1646. See pp. 270, 279, 354, 498.

<sup>2</sup> The Ms. does not contain leaves numbered from 194 to 197, inclusive.

salfetie and preservacion of this Corporacion. Which graunted they will ever pray, etc.

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"MARY BONAVENTUR, Unworthy Abbess.

"By the Mayor, Recorder and Councill of the towne of Gallway, etc.

"Consideracion being had of the contents of this petition, it is thought fitt by the Mayor and Councill, for the reasons therein incerted, the petitioners demaunds to be graunted: Provided they make upp a common and bridge to the other island. And both the the Sheriffes, Thomas Lynch, Fitz Ambros, Dominicke Martyn and Christopher Bodkine, or any three of them, to view the place, and aplott of the said island for the petitioners, according their discrecions, for the conveniency of the petitioners if by the corporacion assembled in the Touslell shalbe soe thought fitting. All which being our opinions, wee recommend to the said Courte or Assembly.

"Dated 1<sup>o</sup> Jully, 1649.

WALTER BLAKE, Mayor.

JOHN BLAKE, Recorder.

"Gallway, the 10th of Jully, 1649: By the Mayor and Corporacion of the towne of [Gallway].

"Uppon consideration had of the within peticion, and the above order being read in oppen Courte and full Assembly, and the reasons in the said peticion and order sett forth and expressed: It is unanimously agreed uppou by the major parte of the whole Courte that the contentes of the said peticion be gra[n]ted, and by the said Courte is graunted, in maner and forme as by the order of the Counsell is prescribed, whereof they are to have a comon saale.

"WALTER BLAKE, Mayor.

"JOHN BLAKE, Recorder.

"A.D. 1649. Thomas Lynch Fitz Marcus, Esquire, Mayor; Stephen Lynch Fitz Nicholas, and Antony Fitz John, Sherriffes; John Blake, Esquire, Recorder. fol. 200<sup>b</sup>.

List of the Town Council.

"CHARLES R.—Trusty and well-beloved, we greete you well: Wee have beene duely informed of the loyalltye and good affection that you and the cittie of Gallway have expressed to us at all tymes, butt especialye of late, when others have so shamefullye betrayed the trust wee reposed in them by resigning themselves into the handes and power of the rebells. Wee doubt not but you will constantly continue the same loyalty to us with due care for the preservacion of our just authoritie amongst you, and, for your encouragement therein, wee assure you that wee are not onelye truelye sensible of what you have allreadye done for our service, but as that cittie of Gallway is one of the principal citties that hath eminently continued their loyalltye and devotion to us, so we shall in due time conferre such priviledges and favours uppou you as may be lasting monuments of your deserving above other, and of our particular grace and acceptation thereof. And soe wee bid you farewell. fol. 200<sup>b</sup>.

<sup>1</sup> Leaf numbered 199 is not in the Ms.

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"Given at our Courte in Jersey, the fourthe day of Februarye, 1649[-50], in the second yeare of our raigne.

"The superscription : To our trusty and well-beloved, the Mayor and Aldermen of our cittie of Gallwaye.

"This letter was receaved the last of August, 1650.

"Memorandum: That this towne of Galway, the last yeare, being the Mayoralty tyme of Sir Walter Blake, Knight, was visitted with the contagious infection of the plague, which continued from Jully, One thousand six hundred fortie and nyne, till Springe after. Dureinge which tyme many thousand soules dyed of the said sicknes, among which manye of the birth of the towne weare lost, but the most part of them weare the comons and tradesmen of the towne, and it is conceaved but that most of the natives, for preservation of their health and security of their lives from the venom of the said infection, departed the towne dureinge the time aforesaid, most if not all the inhabitantes of this towne should perish with the rest.

"Memorandum, further, that all the members of the towne have mett in the country, and have consented to a taxe of twoe thousand marckes sterling towards the charges of phisitions and providinge of all other necessaries requisitt for the purifying and clensing of the said towne, which was with all earnestnes pursued by these intrusted with that chardge, and in the spring following it is to be ever remembered how Our Saviour, out of the abundance of mercye, hath, about our Ladye's daye in Lent last, freed and cleerd this towne and all the inhabitantes thereof from the said sicknes, so as they have retourned to their own dwellinges and ever since doe inhabitt them with as much security as ever before.

"Memorandum: That the newe flanker, built outward of the greate gate in the out side of the basecourt of the said gate, was erected and built this sumer and the new wale woorke and rampier leading from that flanker downe to Edmond Kirwan's tower was begun alsoe this summer, and proceeded to a greate perfection, and is to be continued and finished by the next Mayor. All begun and done at the towne chardge.

"August, 1650. It is this day ordered that the order made in the Mayoralty tyme of Doctor Thomas Lynch, Esquire, touching the suppression of seecking voates for the election of Mayor, Sheriffe, or any other office within this towne, be and is nowe confirmed with this addit[ion] that whosoever, by himselfe or his friendes, gained by his procurement or privitie, shall demaunde or seecke any voate for to be promoted or chosen to any office within this towne, as aforesaid, shall never beare office within this towne. Which is to be observed and pursued from this daye hereafter. And, further, that henceforth everyone uppon delivering his voate, shalbe first swoarne whether his voate was sought by any [and] by whome.

"THOMAS LYNCH, Mayor.

fol. 202<sup>1</sup>.

"Sir Olliver French, Knight, Mayor, 1650, James French Fitz Edmond, and Peeter Lynch FitzAnthony, Shirriffes. John Blake, Recorder. Thomas Lynch, Mayor of the Staple.

fol. 205<sup>2</sup>.

"Michael Lynch, of the town of Galway, Alderman, ellected and choasen Mayor, and William Martine and Alexander Lynch, deceased, Esquires, Sheriffes of the said towne of Gallway, the first day of August, in the yeare of our Lord God 1652, and tooke upon them the charge and execution of theire offices the 29th day of September follow-

ing, John Blake being Recorder. And, further, in the same year, the said Alexander dyeing, Thomas Lynch, the said Michael's eldest sonn, was elected and choasen Sherife in his place.

List of Aldermen and "Burgesses of Councell."

Martine Lynch Fitz Anthony, of the town of Gallway, Alderman, fol. 206.<sup>1</sup> elected and chosen Maior, and Nicholas French and Arthure Lynch, Esquire, Sherifes of the said towne of Gallw[ay], the first day of August, in the yeare of our Lord God 1653, and tooke upon them the charge and execution of ther office, the 29th day of September following, John Blake Fitz Robert, Esquire, being Recor[der] of the said towne.

"September 29th 1654: Thomas Lynch Fitz Ambros, Maior: John fol. 211. Blake, Esquire, Recorder; Richard Lynch and Anthony French, Fitz Petter, Sherives.<sup>2</sup>

"Memorandum: That the English inhabitants of Gallway, did on the 29th of September, this yeare, petition the Right Honorable the Lord Deputy and Councell that the government of this towne by the charter might not be any longer in the handes of the Irish and Papists, but that it might be put into the hands of the English and Protestants. Which was granted, and by vertue of a spetial order in that case the officers above mentioned was dismissed and new ones chosen, as in the next will appeare.

"1654. Collonel Peeter Stubbard, Maior; Robert Clarke, Esquire, fol. 212. Recorder; Paul Dod and Marcus Lynch Fitz Thomas, Sherives.<sup>4</sup>

"September 29th 1655: Lieutenant-Colonel Humphry Hurd, Maior; fol. 213. Henry Greneway, Esquire, Recorder; John Camell and John Mathews, Sherives.

"The Counsell of the Corporation this yeare:

"The Maior, Recorder and Sherives for the time being, Sir Charles Coote, Knight and Barronet, Lord Presedent of Conaught, Collonel Peeter Stubbard, Maior of the Staple.

"Robert Clarke, esquire, alderman.	Thomas Harvest, Corroner.
John Winn, alderman.	Mar. Lynch Fitz Thomas, burges.
Paul Dod, alderman.	Thomas Prior, burges.
Samuel Newton, alderman, Cham-berlin.	John Fennell, burges.
	Dermitius Coughlan, burges.

"September, 29th 1656: Paull Dod, esquire, Mayor; Henry fol. 214. Greneway, esquire, Recorder; John Peeters, Mathew Forth, Sheriffes.—Remainder of leaf is blank.

"September 29th, 1657: Gabriell King, esquire, Mayor; James Cuff, fol. 215. esquire, Recorder; Jarvis Hind, Thomas Harvest, Sheriffes,—Remainder of leaf is blank.

September 29th, 1658: Sir Charles Coote, Knight and Barronet fol. 216. Lord President of Conaught, Maior; John May and Richard Ormsby, Esquires, Sheriffes; James Cuff, Esquire, Recorder.—Remainder of leaf is blank.

<sup>1</sup>, <sup>2</sup> Leaves 207, 208, and 209 are not in the Ms.; 210 is blank.

<sup>3</sup> Remainder of the leaf is blank.

<sup>4</sup> Remainder of the leaf is blank.

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fol. 217.

"September 29th, 1659: John Mathews, Mayor; Edward Eyre, Recorder; Richard Barnard, and William Speed, Shreiffes.

List of "the Councill."

fol. 218.

September 29th, 1660: John Morgan, Esquire, Mayor; Edward Eyre, Esquire, Recorder; George Scanderbegg Bushell; and John Pope, Esquire, Sheriffes.

List of Town Council.

fol. 220<sup>1</sup>.

September 29th, 1661: John Eyre, Esquire, Mayor; Edward Eyre, Esquire, Recorder; John Murry and Robert Brock, Esquire, Sheriffes.

List of "Towne Councill."

fol. 221.

"September 29th, 1662: Henry Greneway, Esquire, Mayor; Edward Eyre, Esquire, Recorder; Benjamin Vease and Walter Buird, Sheriffes."—Remainder of leaf is blank.

fol. 222<sup>2</sup>.

"1663: Edward Eyre, Esquire, was on the first day of August, anno Domini 1663, elected Mayor of the towne of Gallway, and was on the 29 day of September following sworne.

"Henry Whaley, Esquire, Recorder.

"Richard Walcott, Esquire [and] John Barrett, Sheriffes, 1663.<sup>1</sup>

fol. 224<sup>3</sup>.

"September the 29th, 1664: John Morgan, Esquire, Maior, the second tyme; William Heming and Thomas Semper, Sheriffes.

"Anno Domini, 1664: Henry Waley, Esquire, Recorder.

"October the xiii., 1664: Edward Eyre, Alderman, Mayor of the Staple; Dr. James Vaughan, Warden; Paul Dod, alderman; Gabriell Kinge, alderman; John Peeters, alderman, Chamberlain; William Heminge, and Thomas Semper, Sheriffes.

"This day the said persons were [elected] Towne Councill for the yeare ensueinge.  
Richard Walcott, Towne Clarke.

"September the 29th, 1665 :

fol. 226.

"John Spencer, Esquire, Mayor; Henry Whaley, Esquire, Recorder; Robart Warner and George Youngehusband, Esquires, Sheriffes; John Morgan, Esquire, Mayor of the Staple.

"Dr. James Vaughan, Warden.

Thomas Harvies, Corroner.

Gabriel Kinge, Alderman.

William Heminge and Thomas

Edward Eyres, Alderman.

Semper, Constables of the

Sir James Cuffe, Alderman.

Staple.

John Peters, Alderman.

Richard Walcot.

John May, Alderman.

Robert Playsted.

"September the 29th, 1666 :

fol. 228.

John Spencer, Esquire, Mayor; John Shadwell, Esquire, Recorder; George Davison, and William Jackson, Esquire, Sheriffes.

List of Town Council.

fol. 232.

"Anno Domini 1668: John Spencer, Esquire, Mayor; John Shadwell, Esquire, Recorder; Richard Barnard and John Jull, Esquires, Sherriffes.

List of Town Council.

<sup>1</sup>, <sup>2</sup> Leaf 219 is not in the Ms.; 222 contains no entries except those above given.

<sup>3</sup> Leaves 223, 225, 227, 231, 233, 238, and 240 are blank; 229 and 230 are not in the Ms.

September the 29th, 1669: John. Peters, Esquire, Mayor; John Shadwell, Recorder.

List of the Town Council.

fol. 234.

September the 29th day, anno Domini, 1670: John May, Esquire, Mayor; William Sprigge, Esquire, Recorder; Robert Warner, Abraham Cowell, Esquires, Sheriffs.

fol. 237.

List of the Town Council.

"After our hearty commendacions: Understandinge that a pirate lyes uppon that coast, by which traffique is hindered, marchantes discouraged, and his Majestie prejudiced in his customes and duties, and that you are willinge to send out a vessell and men to chase from that coast or take the pirate, if you had warrant for soe doeing, wee think fit by this our letter to authorize and impower you to proceed in your good intentions of service to his Majestye and that place, and to send out a vessell and men to sea, such as yow shall thinke fitt for the purpose aforesaid. And, for the encouragement of the men you shall imploy in this service, you may assure them from us that for every man they shall take and bringe in from aboard the said pirate, they shall receive the allowance held forth and promised in the proclamation issued by us and the Councell for killinge or takeing the Tories or Rebels in the said proclamation named.

"And soe wee bid you heartily farewell from his Majestie's Castle of Dublin, the 12th of August 1670.

"Your loveinge friend, JOHN BERKELEY.<sup>1</sup>

"Directed: for his Majestie's speciall service. To our trusty and welbeloved, the Mayor of the towne of Galway, nowe beinge, Galway. Hast, hast.—Ellis Leighton."

"September 29th, 1671: Richard Ormesby, Mayor; William Sprigge, Esquire, Recorder; John Geary, John Vaughan, Esquire, Sheriffs.

"1672: Gregory Constable, Mayor.

William Sprigge, Recorder.

Thomas Andrewes, William Hill, Esquire, Sheriffs.

Collonel George Lesson, Governor.

Richard Ormesby, Mayor of the Staple.

Dr. James Vaughan, Warden.

Collonel John Spencer, Esquire, alderman.

John Morgan, Esquire, alderman. Gabriell Kinge, Esquire, alderman.

John Eyres, Esquire, alderman.

Edward Eyres, Esquire, alderman.

John May, Esquire, alderman.

Sir Olliver St. George, Knight and Barronet.

Sir James Cuffe, alderman.

John Shadwell, Esquire, alderman. fol. 241.

Robert Clarke, Esquire, alderman.

John Geary, John Vaughan, Esquires, Constables of the staple.

Sir Henry Wadington, Knight.

Sir Edward Ormesby, Knight.

Robert Warner, George Davison, Burgesses.

Richard Walcot, burges, and Clerk of Tholsell.

Henry Hayward, Esquire.

James Bulteele.

John Bullinbrooke.

Walter Hickee, Master of the Guild.

James Brown

Thomas Revett.

<sup>1</sup> John, Lord Berkeley, Lord Lieutenant of Ireland. The above document is inserted in the Ms.

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fol. 242.

fol. 243.

fol. 243b.

fol. 243.<sup>1</sup>

"1673: Gregory Constable, Esquire, Mayor; William Sprigge, Esquire, Recorder; Thomas Revett and Thomas Cartwright, Esquires, Sheriffs.

"September the 29th, 1674: Theodore Russell, Esquire, Mayor; William Sprigg, Esquire, Recorder; Thomas Buck, Marcus Harrington, Esquires, Sheriffs.

"September the 29th, 1675: Collonel Theodore Russell, Esquire, Mayor; William Sprigg, Esquire, Recorder; John Flower, Thomas Poole, Esquires, Sheriffs.

"Att a Common Councill of the towne of Gallway, held the 28th day of January, 1673[4]:

- |                                |  |
|--------------------------------|--|
| 1. Gregory Constable, Esquire, | 6, 7. Thomas Revett and Thomas Cartwright, Shirriffes. |
| 2. John Morgan, alderman.      | 8. William Hemmings, Burgess.                          |
| 3. Edward Eyres, alderman.     | 9. John Vaughan, Burgess.                              |
| 4. John Peters, alderman.      | 10. Walter Hickes, Master of the Guild.                |
| 5. John May, alderman.         | 11. John Bullinbrooke, Esquire.                        |

"Ordred that the Shirriffes, Mr. Thomas Revett and Mr. Thomas Cartwright, are heareby authorized to receive from each Alderman and Burgess the several summes as is annexed to each man's name, as doth appeere by the annexed scedell. And the Shirriffes are desired to give the acquittance to each person according to the meathood heareunto fixed upon. Which acquittance such Alderman and Burges shallbe deamed, taken and reputed to all intents and purposes as Alderman and Burgess of this Corporacion, and the said Alderman and Burgesses are desired to repaire to the Mayor's house, where they shallbee entred in the Mayoralty Booke cleare of any charge for entreing the same, and that all or soe many of the said Aldermen and Burges[ses] as shall pay in their money as aforesaid, their names shall be returned to the Lord Lieutenant and Councill to bee incerted in the body of the Charter. And of these 48 Aldermen and Burgesses the Comcne Councill of this Corporacion to consist, without the alteration of any Mayor hereafter.

"And it is further ordred that this order, with the lyst of the said Aldermen and Burges given to the Shirriffes, bee entred into the towne booke and there to remain one record.

"Signed, by Order of the Mayor and Councill, by Edward Eyre.

"Towne of Gallway:

"Whereas att a Common Councill, held the twenty-eight of January, 1673[-4], for the speedy raising of mony, for the publique use of this Corporacion, for the reneweing of the charter, making an address unto his Majesty, and defending the suites in law that are or shalbee commenced against the said Corporacion, it was proposed and ordered that soe many persons should bee added unto the number of Aldermen as should make them twenty-four, and as many added unto the Burges[ses] as should complete the number of twenty-four, of which the Common Councill are to bee constituted, a schedule of whose names is affixed unto the said order with the summe proposed, added to each man's name,

<sup>1</sup> Fol. 244 is not in the Ms. The entries for 1674 and 1675 precede, as above, those for January, 1673-4.



upon payment of which sune by any of the said Aldermen and Burgess they shall bee deemed, taken and ever reputed an Alderman or Burgess of the said Corporacion, and theire names incerted in the Mayoralty booke, and returned to his Excellency the Lord Lieutenant to bee incerted in the charter on the renewall thereof, the moneys soe raised to bee receaved by the Sheriffes, and to be disposed of to such person as the Mayor and Councell shall appointe.

"In pursuance of the said orders, wee, the said Sheriffes, doe hereby ackknowledge to have received from [*blank*] of Gallway, Alderman, the sum of [*blank*] poundes sterling, who is imeadiately to receive the benefitt of the said orders and soe to bee recorded in the towne booke.

"As witness our hands and seales this [*blank*] 167[3-4]. This instrument or receipt is accordingly to the orders of Councell held the day above written and accordingly to bee allowed of, as witness my hand and Mayoralty seale.

"GREGORY CONSTABLE, Mayor.

"September the 29th, 1676 :

"Theodore Russell, Esquire, Mayor; William Sprigg, Esquire, fol. 245b. Recorder; John Clarke, Richard Browne, Esquires, Sheriffes.

"September the 29th, 1677 :

"Theodore Russell, Esquire, Mayor; William Sprigg, Esquire, Recorder; John Clarke, Richard Browne, Esquires, Sheriffes.

"This yeare, the new Charter was brought by Collonel Russell, after making the bargaine with Madam [Elizabeth] Hamilton for the grant she had from his Majestie, King Charles the Second, for the part of the revenue and towne landes mortgadged by the natives in the yeare 1647 to severall forfeiting persons, by which it was vested in the King and soe granted as aforesaid.

"September the 29th 1678 :

"Theodore Russell, Esquire, Mayor: William Sprigg, Esquire, fol. 246. Recorder; Thomas Stanton, John Amory, Esquires, Sheriffs.

"September the 29th, 1679 :

"Theodore Russell, Esquire, Mayor; William Sprigg, Esquire, fol. 247. Recorder; Thomas Stanton John Amory, Esquires, Sheriffes.

"Att a Common Council held at Alderman Cartright's house in Gall- fol. [247\*.] way, the 19th of July, anno Domini, 1680:<sup>1</sup>

"Present as followeth :

Thomas Cartright, Esquire,	William Hill, Alderman.
Deputy-Mayor.	Richard Browne, Burgess.
Edward Eyre, Esquire, Deputy-Recorder.	Thomas Symcock, Merchant.
	Samuel Camby, Merchant.
Doctor James Vaughan, Warden.	William Hoskins, Merchant.
John May, Alderman.	Robert Shaw, Towne Clerk.

"Whereas it was ordered at a Comon Council held the 26th day of July, 1679, as followeth, vizt. the Council, taking into consideration that the concerne of the Corporation formerly acted by Tholsell was vested

<sup>1</sup> This matter is not entered in order of date in the Ms.; the leaf on which it appears is numbered 252.

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in the Council by charter, and to prevent the many inconveniencies that have attended the often altering of the members of the Comon Council, it was then ordered that thenceforth no person or persons should be added to the Comon Council but by consent of the major part of the Councill, and that none should be excluded the Council but on some misdemeanour allowed of by the major part of the Council.

And this Council, taking the same further into consideration, finde that the said former order is somewhat short and dubious as to the major parte of the Council. It was this day ordered in Council, nemine contradicente, that the said former order of Council be confirmed and that such major parte of the Council shall consist of one and twenty at least, either in adding or secluding any such member or members of the Council, and also that the Mayor for the tyme being, or his Deputy from tyme to tyme hereafter, shall give a list of the Council to the Sergants-at-Mace, and that every Comon Councillor hereafter shall be summoned and have four and twenty howers notice of the tyme and place of the sitting or meeting of such Council onely to such Comon Councillmen that was [*sic*] resident and inhabitting in the said towne. And that this and the order of Council be forthwith entred by the Towne Clerke in the Mayoralty booke, and that if the Sergeants-at-Mace shall neglect theire duty in not summoning every member of the Council that are inhabitting, or shall be in towne, at such tyme when they shall be ordered to summon the Council, shall forfeit five pounds for every such offence.

“ Entered per ROBERT SHAW, Clericum Theolonii.

“ September 29th, 1680 :

fol. 248. “ Theodore Russell, Esquire, Mayor; William Sprigg, Esquire, Recorder; Thomas Simcockes, Samuell Cambie, Esquires, Sherifes.

“ September 29th 1681 :

fol. 249. “ Theodore Russell, Esquire, Mayor; William Sprigg, Esquire, Recorder; Thomas Simcockes, Samuell Cambie, Esquires, Sherifes.

“ September the 29th, 1682 :

fol. 250. “ Theodore Russell, Esquire, Mayor; William Sprigg, Esquire, Recorder; Marcus Lynch, William Hoskins, Esquires, Sherifes.

“ September the 29th, 1683 :

fol. 251. “ Collonel Theodore Russell, Esquire, Mayor; William Sprigg, Esquire, Recorder; William Hoskins, Thomas Yeaden, Esquires, Sherifes.

“ September the 29th, 1684 :

fol. 253.<sup>1</sup> “ Collonel Theodore Russell, Esquire, Mayor; William Sprigg, Esquire, Recorder; Thomas Yeaden, Thomas Willson, Esquires, Sherifes.

“ September the 29th, 1685 :

fol. 254. “ Collonel Theodore Russell, Esquire, Mayor; William Sprigg, Esquire, Recorder; Thomas Willson, Richard Wall, Esquires, Sherifes.

fol. 254 b. “ Sir Henry Lynch Baronet was on the first day of August, 1686, elected Recorder of the towne of Gallway, and was afterwarde sworn.

<sup>1</sup> For contents of fol. 252, see p. 505, under 1680.

and in the same yeare was made one of the Barons of his Majesties Court of Exchequer in Ireland, in whose roome and at the request of the said Sir Henry, Thomas Lynch, Esquire, was sworn Recorder, the 18th day of May following, for the remainder of that year.<sup>1</sup>

ARCHIVES OF  
TOWN OF  
GALWAY.

"John Kirwan<sup>2</sup> Fitz Stephen, of Gallway, marchant; was, on the fol. 256. first day of August, in the year of our Lord God one thousand six hundred eighty and six, and in the second year of the reign of our Sovereign Lord, James the Second, King of England, elected Mayor of the said town of Gallway, and was on the 29th day of September following sworn.

"George Stanton and Jonathan Perrie, of Gallway aforesaid, merchantes, were elected and sworn Sherriffes in manner aforesaid.

"THOMAS LYNCH, Esquire, Recorder.

"ROBERT SHAW, Towne Clarke.

"Yeares 1686, 1687 :

"The Comon Councill of Gallway in the Mayralty of John Kirwan fol. 257. Fitz Stephen, Esquire.

"John Kirwan, Esquire, Mayor.

His Grace John [Vesey], Lord Archbishop of Tuam.

The Honorable Sir Henry Lynch, Baronet, Recorder for most of the yeare, 1686.

Sir Oliver St. George, Knight and Baronet.

Sir Walter Blake, Baronet.

The Honorable Peter Martin, Esquire, one of the Justices of Her Majesty's Court of Comon Pleas.

Gerald Dillon, Esquire, His Majesty's Prime Sergeant at Law.

The Honorable Colonel Gerald Moore, Esquire.

Thomas Lynch, Esquire, Recorder, in the roome of Sir Henry Lynch.

Captain Richard Coote.

Sir Henry Waddington, Knight.

William Sprigg, Esquire.

Francis Cuff, Esquire.

Gabriel King, alderman.

John May, alderman.

Colonel Theodor Russell.

Thomas Stanton, Esquire, Mayor of the Staple.

Thomas Revett, alderman.

John Gerry, alderman.

Joseph Ormsby, Esquire.

Captain Arthur St. George.

Dr. John Bullinbrooke.

Edward Stubber, Esquire.

Robert Miller, Esquire.

John Bingham, Esquire.

Richard Wall, burgess.

Oliver St. George, Esquire.

James Darcy, Esquire.

Dominick Browne, Esquire.

Stephen Deane.

Thomas Deane.

Laurence Deane.

Marcus Kirwan.

Valentin Browne.

Robert Kirwan.

Oliver Martin, Esquire.

Robert Blake, Esquire.

Robert French, Esquire.

Arthur French, Esquire.

James Deane.

Dominick Bodkin.

James Browne Fitz Jeffrey.

George Browne, Esquire.

Richard Blake, Esquire.

Charles Daley, Esquire.

Nicholas Lynch Fitz Marcus.

Nicholas French, Senior.

Isidor Lynch, Esquire.

Andrew Oge Blake being dead,

Peter Blake of Corbally was sworne in his room.

<sup>1</sup> Leaf 255 is not in the Ms.

<sup>2</sup> This name is in gilt letters on ff. 256 and 258.

ARCHIVES OF  
TOWN OF  
GALWAY.

Thomas Cartright, alderman.  
Thomas Andrews, alderman.  
George Stanton, burges.  
Jonathan Perrie, burges.  
Thomas Simcocks, burges.  
Colonel George Lesone.  
Richard Thomas, Clerke.  
John Eyre, Esquire.  
John Vaughan, burgess.  
Thomas Poole, burgess.  
Richard Browne, burgess.  
John Clarke, burgess.  
Samuel Cambie, burgess.  
Major Nicholas Bayly.  
Mark Harrington, burgess.  
Thomas Yeeden, burgess.  
James Wilson, burgess.  
Gilbert Ormsby, Esquire.

Ambros Lynch.  
Martin Kirwan Fitz Patrick.  
Richard Lynch Fitz James.  
Nicholas French, Junior, Esquire.  
Thomas Lynch Fitz Peter.  
Bartholomew Butler.  
Francis Lynch Fitz George.  
James Browne Fitz Edward.  
John Lynch Fitz Michael.  
Walter Blake, of Drum, Esquire.  
John Joyes.  
Martin King.  
John Amory.  
Robert Amory.  
Captain Thomas Crawly.  
Richard Plummer.  
Robert Shaw, Clericus Theolonii.

fol. 258.

"John Kirwan Fitz Stephen, Esquire, was, on the first day of August, anno Domini 1687, and in the third year of the reign of our Sovereign Lord, King James the Second, elected Mayor of the town of Gallway, and was on the 29th day of September following sworn, being the second year of his Mayoralty.

"James Browne Fitz Jeffry and Marcus Kirwan Fitz Dominick Sheriffes.

"THOMAS LYNCH, Esquire, Recorder.  
"ROBERT SHAW, Town Clarke.

fol. 259.

"The Comon Councell of Gallway in the second yeare of the Mayoralty of John Kirwan, Esquire, ending Michaelmas, 1688 :

John Kirwan, Esquire, Mayor.  
Collonel Garett Moore, aldermen.  
Sir Walter Blake, Baronet, aldermen.  
Thomas Lynch, Esquire, Receiver.  
Robuck Lynch, Esquire, alderman.  
Robert Blake, Esquire, alderman.  
Dominick Browne, Esquire, alderman.  
James Darcy, Esquire, alderman.  
Oliver Martyn, Esquire, alderman.  
Francis Blake, Esquire, alderman.  
Peter Kirwan Fitz Francis, alderman.  
James Browne Fitz Edward, alderman.  
William Hill, alderman.  
Jonathan Perrie, alderman.  
Thomas Revett, alderman.

Nicholas French, Senior, Esquire, alderman.  
Henry Blake, Esquire, alderman.  
Robert French, Esquire, alderman.  
Andrew Blake, Esquire, alderman.  
Martin Kirwan Fitz Patrick, Esquire, alderman.  
George Stanton, alderman.  
Walter Blake, Esquire, alderman.  
Ambrose Lynch, alderman.  
Stephen Deane, alderman.  
Robert Kirwan, alderman.  
Thomas Simcocks, alderman.  
John Gerry, alderman.  
James Browne Fitz Jeffry and Marcus Kirwan Fitz Dominick, Esquires, Sheriffes.

## "Burgesses :

The Right Honorable Dennis Daly, Esquire, one of the Justices of his Majesties Court of Comon Pleas, and one of his Majesties Most Honorable Privy Councill of Ireland.	Robuck French, gentleman. Patrick French Fitz Robuck, Esquire. Doctor James Ryan. Doctor Thomas Martyn. Marcus Browne Fitz Walter. John Martyn Fitz Richard. Dominick Lynch Fitz John. Lawrence Deane. Thomas Blake Fitz John. Richard Lynch, senior. Dominick French Fitz Patrick. Thomas Lynch Fitz Peter. Gregory Nolan. Francis Blake Fitz Andrew. Edmond Skerrett Fitz Dominick. Patrick Blake Fitz Andrew. Peter Blake Fitz Nieholas. Stephen Lynch Fitz Nicholas More. Richard Lynch, Junior. Jasper French Fitz Robert. Patrick Darcy, Esquire. Oliver Darcy. Martin Darcy Fitz Richard. Martin Darcy Fitz Peter. Patrick French Fitz Peter. John Bodkin Fitz Ambrose. Dominick Bodkin Fitz Patrick. Samuel Cambie. Nicholas Lynch Fitz William. James Kenny. Thomas Stanton. Martin King. Mark Lynch. Thomas Yeeden. William Cleere. Dennis Kelly
The Honorable Sir Henry Lynch, Baronet, one of the Barons of his Majesties Court of Exchequer.	
The Honorable Peter Martyn, Esquire, one of the Justices of Majesties Court of Comon Pleas.	
Gerald Dillon, Esquire, his Majesties Prime Sergeant at Law.	
Francis Plowden, Esquire.	
John Browne, Esquire.	
Charles Daly, Esquire.	
George French, Esquire.	
George Browne, Esquire.	
John Bodkin, Esquire.	
Nicholas Lynch Fitz Marcus.	
Arthur French, Esquire.	
Peter Blake Fitz Richard, Esquire.	
Nicholas French, junior, Esquire.	
Richard Blake, Esquire.	
Oliver Browne, Esquire.	
James Foster, Esquire.	
Patrick French Fitz Robert, Esquire.	
Joseph Lynch, Esquire.	
Marcus Blake Fitz Walter.	
Andrew French, Esquire.	
Arthur Lynch Fitz Robuck.	
Nicholas Lynch Fitz Robuck.	
John Blake Fitz Vallentin.	

"The new charter was in this yeare by his Most Sacred Majestie, King James the Second, granted unto this Corporation.

"The key [quay] of Gallway and the new peer [pier] was this yeare erected and repaired at the charge of the Corporation.

"Examined per ROBERTUM SHAW, Clericum Theolonii.

"September the 29th 1688 :

"Dominick Brown,<sup>1</sup> of Carrowbrown, Esquire, Mayor; Thomas Lynch, Esquire, Recorder; Francis Blake Fitz Andrew, and Dominick Bodkin Fitz Patrick, Esquires, Sheriffes; Robert Shaw, Town Clerke. fol. 260.

"September the 29th, 1689 :

"Dominick Brown,<sup>2</sup> of Carrowbrown, Esquire, Mayor; Thomas Lynch, Esquire, Recorder; Francis Blake Fitz Andrew, and Dominick Bodkin Fitz Patrick, Esquires, Sheriffes. Robert Shaw, Town Clerke. fol. 261.

<sup>1</sup> In margin : " Collonel Dominick Browne elected, first August 1688."

<sup>2</sup> In margin : " Collonel Dominick Browne elected a second time, 1st August, 1689."

ARCHIVES OF  
TOWN OF  
GALWAY.

fol. 262.

"September the 29th 1690:

"Collonell Alexander Mc Donnell, Mayor, untill the eighth day of December this year, att which time he was by speciall order of the Government removed from the said office; on which day Arthur French,<sup>1</sup> Esquire, was elected and sworn Mayor for the remaineing part of this year.

"Thomas Lynche, Esquire, Recorder.

"William Cleer, Oliver French, Esquires, Sheriffs.

"Anthony French Fitz Martin was elected Towne Clerke the 6th of October this year.

fol. 263.

"Sir Henry Bellasies [Bellasyse] elected the first August 1691, being then Governor; the towne being surrendered the 26th July before.

"September the 29th, 1691:

"Sir Henry Bellasyse, Barronet, Governor of Galway, Mayor; Nehemiah Donnellan, Esquire, Recorder: John Gibbs, Richard Wall, Esquires, Sheriffs; Robert Shaw, gentleman, Town Clerke.

"Memorandum: That the town of Galway was surrendered to the arms of our Sovereign Lord and Lady, King William and Queen Mary, under the command of Generall Ginkle, on the 26th day of July last past.

fol. 264.

"Thomas Revett, Esquire, was on the first day of August, anno Domini 1692, and in the fourth yeare of the reign of our Sovereign Lord and Lady, King William and Queen Mary, elected Mayor of the towne of Galway, and was on the 29th day of September following sworne.

"Nehemiah Donnellan, Esquire, Recorder.

"Richard Wall and John Gibbs, Esquires, Sheriffes.

fol. 265.

"Thomas Revett,<sup>2</sup> Esquire, was on the first day of August, anno Domini 1693, and in the fifth yeare of the reign of our Sovereign Lord and Lady, King William and Queen Mary, elected Mayor of the towne of Gallway, and was on the 29th day of September following sworn.

"Nehemiah Donnellan, Esquire, Recorder.

"John Gibbs, Richard Wall, Esquires, Sheriffes.

fol. 266.

"Thomas Simcockes, Esquire, was on the first day of August, anno Domini 1694, and in the sixth yeare of the reigne of our Souveraign Lord, King William the Third, elected Mayor of the towne of Gallway, and was on the 29th day of September following sworne.

"William Handcoke, Esquire, Recorder.

"Thomas Conneys and Francis Knapp, Esquires, Sheriffes.

"Robert Shaw, gentleman, Town Clarke.

"1695:

fol. [267<sup>3</sup>].

"Thomas Simcokes, Esquire, was on the first day of August, anno Domini, 1695, and in the seaventh yeare of the reigne of our Sovereign Lord, King William the Third, elected Mayor of the towne of Gallway. and was on the 29th day of September following sworne.

"Robert Ormsby, Esquire, Recorder.

<sup>1</sup> In margin: "Arthur French, Esquire, elected, first August 1690."

<sup>2</sup> In margin: "Thomas Revett, Esquire, elected a second time, first August, 1693."

<sup>3</sup> Erroneously numbered 327 in the Ms.

"Francis Kuapp and James Ribett Vigie, Esquires, Sheriffes.

"Robert Shaw, gentleman, Towne Clarke.

ARCHIVES OF  
TOWN OF  
GALLWAY.

"September the 29th, 1696 :

fol. 268.

"Thomas Cartwright, Esquire, was on the first day of August, anno Domini, 1696, and in the eight year of the reigne of our Sovereigne Lord, King William the Third, elected Mayor of the towne of Gallway, and was on the 29th day of September following sworne.

"Robert Ormsby, Esquire, Recorder.

"James Ribett Vigie and Marcus Lynch, Esquires, Sheriffes.

"Robert Shaw, gentleman, Towne Clarke."

Copy of portion of section [8] of entry, relative to Warden and Vicars fol. [268\*]. of the College, Galway.<sup>1</sup> See page 387.

"John Gerry, Esquire, was, on the first day of August, anno Domini fol. 269. 1697, and in the ninth yeare of the reigne of our Sovereigne Lord, King William the Third, elected Mayor of the towne of Gallway, and was on the 29th day of September following sworne.

"Marcus Lynch and Jarvis Hind, Sheriffes.

"Robert Ormsby, Esquire, Recorder.

"Robert Shaw, gentleman, Towne Clarke.

"On the 7th day of November, this yeare, was proclaimed the much honoured and renowned peace betweene his most Serene Majestie, King William the Third of Great Brittain, and the French King.

"On the 3rd of August, this yeare, their Excellencys, the Marques of Winchester,<sup>2</sup> and the Earle of Gallway,<sup>3</sup> Lords Justices of this kingdom of Ireland, on their progress came to the towne of Gallway, and were on the day following entertayned at the Mayor's house at the charge of the Corporation.

"John Gerry, Esquire, was on the first day of August, anno Domini fol. 270. 1698, and in the tenth year of the reigne of our Sovereigne Lord, King William the Third, elected Mayor of the towne of Gallway, and was on the 29th day of September following sworne, being the second yeare of his Mayoralty, and did this yeare consent to take one hundred pound sallerey for his Mayoralty, to the end the other hundred pound allowed to former Mayors should go towards payeing the Corporation debtes.

"Jarvis Hind and Thomas Poole, Sheriffes.

"Robert Ormsby, Esquire, Recorder.

"Robert Shaw, gentleman, Towne Clarke.

"1699: Thomas Andrews, Esquire, was on the first day of August, fol. 271. anno Domini, 1699, and in the eleventh year of the reign of our Sovereigne Lord, King William the Third, elected Mayor of the towne of Gallway, and was, on the 29th day of September following, sworne, and also did bestow uppon the Corporation a sword case to hould the King's sword, now in the church of Saint Nicholas.

"Robert Ormsby, Esquire, Recorder.

"Thomas Poole and Samuel Simcocks, Esquires, Sherieffes.

"Robert Shaw, gentleman, Towne Clarke.

1700: Richard Browne, Alderman, was on the first day of August, fol. 273<sup>4</sup>. anno Domini 1700, and in the twelfth yeare of the reigne of our

<sup>1</sup> This copy is inserted in the Ms., and is incorrectly dated 1497 instead of 1557.

<sup>2</sup> Charles Paulet.

<sup>3</sup> Henri de Massue de Ruvigny.

<sup>4</sup> Leaves 272, 274, 275, and 277 are not in the Ms.

ARCHIVES OF  
TOWNE OF  
GALLWAY.

Sovereigne Lord King William the Third, elected Mayor of the towne of Gallway, and was, on the 29th day of September following, sworne.

"Robert Ormsby, Esquire, Recorder.

"Samuell Simcockes, Robert Blakeney, Esquires, Sherriffes.

"Robert Shaw, gentleman, Towne Clark.

fol. 276.

"1701: Thomas Stanton, Esquire, was, on the first day of August, in the yeare of our Lord God 1701, and in the thirteenth yeare of the reign of our Sovereigne Lord, William the Third, by the grace of God King of England, Scotland, France and Ireland, by unanimous assent elected Mayor of the towne of Gallway and was on the 20th day of the said month of August approved of by the Lords Justices and Councell of Ireland, as appointed and directed by the new rules made by the Lord Lieutenant, Cheife Governours and Councell of Ireland, pursuant to a clause in an act of Parliament passed in Ireland in the seaventeenth and eighteenth of King Charles the Second, commonly called the Acts of Settlement and Explanacion, and was on the 29th day of September following, being Michaelmas-day, sworn according to the ancient custome in the Towne Hall.

"Robert Ormsby, Esquire, Recorder.

"Robert Blakeney and John Broughton Esquires, Sherriffes, elected, approved of and sworne in manner, time and place aforesaid.

"Robert Shaw, Alderman, was elected Towne Clerke, and was, together with the said Recorder, sworne on the Munday after Michaelmas att the place aforesaid, as usuall.

fol. 276b.

"This yeare 1701 it pleased God to send a great plenty of heringes into our harbour, such hath not been these twenty or thirty yeares past, soe far that, the 15th day of September, there was by computation a thousand barills that night taken and sold for 4s. 6d. per thousand, and not above seaventy boates fishing this season.

"The yeare following, such a multitude of herings were taken that they were comonly sold for eight pence per thousand, some dayes for tenn pence per thousand. A great season of codd fish hapned all winter and spring that [blaw] good codds were usuallly sold at the fish markett for pence apiece, and in summer 1703 codd sold for half-pence apiece, tho' seldome heretofore taken in our bay that tyme of the yeare.

"On the eighth day of March, 1701[2], it pleased Almighty God to call to His mercy our late Sovereigne Lord, King William the Third, of ever glorious memory, by whose decease the Imperial Crowns of England, Scotland, France and Ireland came to the high and mighty Princess, Anne of Denmark, who on the said 8th March, 1701[2], was proclaimed in the citty of London, the Parliament of England then sitting. On the 17th day of the said month of March, her Majestie was proclaimed in the citty of Dublin, and, on the 24th day of the said month, in this towne [Galway], with all demonstracions of joy, and on the 23rd day of Aprill following was crowned att Westminster.

"In the month of May after, her Majestie was pleased to declare warr against France and Spaine.

fol. 278.

"1701: The Common Councell of Gallway in the mayralty of Thomas Stanton, Esquire:

Thomas Stanton, Esquire, Mayor.  
His Grace John, Lord Archbishop of Tuam, who was on the 1st day of August elected Warden of Gallway.

Robert Blakeney, John Broughton, Esquires, Sherriffes.  
Feilding, Shaw, Doctor in Divinity.  
Richard St. George, Esquire.



The Right Honorable Sir Henry  
Bellasis, knight, alderman,  
Lieutenant Generall of his  
Majesties forces.

The Honorable Richard Coote,  
Esquire.

Nehemiah Donnellan, Esquire one  
of the Barons of his Majesties  
Court of Exchequer in Ireland.

Sir George St. George, Barronet.

Sir George St. George, Knight.

Robert Ormsby, Esquire, Recorder.

Richard Brown, alderman, Mayor  
of the Staple.

Thomas Revett, alderman, Cham-  
berlain.

Thomas Simcockes, alderman.

Thomas Cartwright, alderman.

John Gerry, alderman.

Thomas Andrews, alderman.

William Sprigge, Esquire, Bar-  
rister att Law.

John Amory, alderman.

Samuell Gambie, alderman, Cor-  
ner.

Thomas Yeaden, alderman.

Thomas Willson, alderman.

Robert Shaw, alderman, Towne  
Clerke.

Richard Wall, alderman.

John Clarke, alderman.

John Eyre, Esquire.

Oliver, St. George, Esquire.

John Bingham, Esquire.

Gilbert Ormsby, Esquire.

Charles Morgan, Esquire.

Edward Stubber, Esquire.

John Morgan, Esquire.

Edward Eyre, Esquire, Barrister  
att law.

John Stanton, Esquire, Barrister  
att law.

John Revett, Esquire, Barrister  
att law.

Samuell Simcockes, one of the  
Constables of the Staple.

John Gibbs, Burgess.

Thomas Conys, Burgess.

Francis Knapp, Burgess.

James Ribett Vigie, Burgess.

Mark Lynch, Burgess.

Jervis Hind, Burgess.

Thomas Poole, Burgess.

Richard Thomas, Clerke.

Thomas Revett, Clerke.

John Ormsby, gentleman.

Richard Plumer, gentleman.

Robert Widdrington, gentleman.

Francis Andrews, gentleman.

Thomas Stanton, Junior, gentle-  
man.

Samuell Eyre, Esquire.

George Eyre, Esquire.

'The said John Gibbs was, on the 13th of April 1702, elected and  
sworne Alderman in the place of the Honourable Collonel Theodore  
Russell, deceased.

JOHN PRICE, Clerke.

JOHN FEUQUIER, gentleman.

"Com: ville Gallway, xxiii<sup>c</sup> die Januarii 1700 [-1]:

"Whereas it appears by constat from his Majestie's Auditor Generall fol. 279.  
that all and singular the customes, petty customs, and cocketts and the  
seale thereof, which from time to time shall grow or be due to her High-  
ness, her heirs and successors, within the towne of Gallway, and within  
the port of the same town and creekes of the said port, and the collector-  
ship, profits, and comoditys thereof, and likewise the rent of the fee-  
farme of the said towne of Gallway merchant, the duty or perqui-  
sittes called the bayliffes fish in the towne of Gallway and port of the  
same, and also the rectory and parsonage of the church of St. Nicholas  
of Gallway aforesaid, with all the hereditamentes, profittes, offeringes,  
tythes, alterages, emolumentes, and other comodityes whatsoever there-  
unto belonging, the impost and custom of wyne lately granted to her  
Highness by statute, and that shall happen yearly within the said  
towne of Gallway and the port, creek, and franchises of the same, and the  
offices of Receivor and Comptroller thereof, and the fishing and other  
comoditys thereof lately demised to Roger Challenor, onely excepted,

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were, by indenture under the greate seale of Ireland, bearing date the eleventh day of September, 1578, in the twentieth year of the reign of Queen Elizabeth, demised unto the Mayor, Bayliffes, and Comonalty of the towne of Gallway, and their successors Mayors, Bayliffes, and Comonalty of the said towne, for the term of fifty yeares, to comence from the expiration of the former lease made of the premisses unto Anthony Fitton, gentleman, for the term of twenty-one years, and bearing date the twenty-second day of June, in the eighteenth year of her said Majestie's reign, at and under the yearly rent *xlviili. viiis. viiid. monete Hibernie*, making *xxxvili. xiiis. vid. sterling*, of which rent there was discharged the sune of *iiii. xiiis. iiid. per annum*, being granted to Sir John Everard and Patrick Gough, by pattenente dated the 27th of January, anno xii Jacobi primi, and then remained the summe of *xxxii. xixs. iiid.*, being the rent now in charge; and by charter from the late King James to the Mayor, Sheriffes and Burgesses of the county of the towne of Gallway, the same rent is reserved to the Crowne.

"And whereas, by an order of the fourteenth of November last, it was ordred, on the mocion of his Majestie's Attorney-Generall, that a seizure should issue for the said duty unless cause were shewn to the contrary the first of this term, now, upon motion of Sir William Handcock, Knight, Recorder of the city of Dublin, of councill on behalfe of the Corporation of the said towne of Gallway, moveing on the said last rule, prayes that this matter may be referred to his Majestie's Attorney-Generall; whereupon, and on reading the said constat this day in court, it is ordred that this matter be and is herby referred to Robert Rochfort, Esquire, his Majestie's Attorney-General, to examine and to report to the Court how he finds the same, that thereupon such further order may be made there as shall be thought fitt. And it is also ordred by the court that Mr. Richard Thompson, attorney for the Commissioners of his Majestie's Revenue, have timely notice when his Majestie's said Attorney-General intends to proceed on the said reference. And it is also ordred that the said charge be and is hereby respitted in the meane time, and thout noe seizure doe issue against the said towne of Gallway for the said duties, whereof the said Robert Rochfort and all other officers and persons concerned are to take notice.

"ROBERT DOTYK.

"24th February, 1700 [-1]: I appoint Wednesday, the 26th instant, at three in the afternoon, at my house, to proceed on the within matters to me referred, and desire Mr. Thompson within named and all matters therein concerned to take notice.

"ROBERT ROCHFORD.

"Copia vera: Examined per WILLIAM ORMSBY, Deputy Remembrancer.

fol. 279 b.

"To the Chancellor Treasurer, Lord Chief Baron, and the rest of the Barons of his Majestie's Court of Exchequer.

"May it please your Lordships,—According to an order of the Courte of Exchequer, dated the 23th of January, 1700[-1], on behalfe of the Corporation of the towne of Gallway, I have examined the matters thereby to me referred and doe find that Queen Elizabeth, by indenture under the great seale of Ireland, bearing date the 11th day of September, 1578, demised unto the Mayor, Bayliffs and Commonalty of the towne of Gallway, and their successors, all and singular the customes, petty customes, etc., for the term of 50 years, to commence from the expiration of a former lease made of the premisses unto Anthony Fitton, gentleman, for the term of 21 years, bearing date the

22th of June, in [1576] the 18 year of her said Majestie's reign, at the yearly rent of 48*li*. 16*s*. 8*d*., which lease I find expired in the year 1648.

"I farther find, by severall charters and grants from the late Queen Elizabeth and King Charles the Second, that most of the particulars in the said lease were granted away to the said Corporation of Gallway, and their successors, and to the Archbishop of Tuam and one Mrs. Elizabeth Hamilton for ever.

"I find likewise by the affidavit of Mr. Robert Shaw, Towne Clarke of the towne of Gallway, dated the 11th of March last [1700-1], which I have hereunto annexed, that the said Corporacion hath not these 30 years past enjoyed any of the particulars mentioned in the said lease other than such as are granted to them by their charters, and that he beleives, when King Charles the Second was restored, he tooke into his owne hands the customes and cocketts and seall therof, and the collectorship and fees and profittes mentioned in the said lease, which hath bin ever since enjoyed by the respective customers and collectors appointed by the Crowne, and that the Archbishops of Tuam, pursuant to the grant made him by the Crowne, enjoys the wardenshipp of Gallway, being united to the see of Tuam for ever.

"He further deposeth that the whole towne was by the Act of Settlement granted to [the 16] 49 officers, and a considerable quitt-rent reserved [on them which they pay to the Crowne; nor doe they enjoy any houses, to his knowledge except the Tholsell and gaole thereunder and the ruined walls of a small plott whereon the Corporacion intended to build a Tholsell, and a small house or turrett on the towne wall at the key, whereon a guard is comonly kept, and two or three small sheds built against the towne wall, which he beleives not all sett for forty shillinges per annum.

"Before I would make any report in this matter, I sent to Richard Thompson, Esquire, Clerke of the quitt-rentes, and Mr. Ben. Chetwood, to lay before me what information they could concerning this affaire; and the said Mr. Chetwood hath since acquainted me that he made inquiry relateing to the said charge, and that he found noe reason in the office to issue the said charge, All which is submitted to your Honours this 16th day of February, 1701[-2].

"ROBERT ROCHFORD.

"Copia vera: RICHARD BARRY.

"xvii. die February, 1701[-2]:

"Whereas it appeares by constat from his Majestie's Auditor-General fol. 280. that all and singular the customes, petty customes, and cocketts, and the scale thereof, which from time to time shall grow or be due to her Highness, her heirs and successors, within the towne of Gallway, and within the port of the same towne and creekes of the said port, and the collectorship and profittes and comoditys thereof, and likewise the rent of the fee-farme of the said towne of Gallway, the duty or perquisittes called the Bayliffes fish in the towne of Gallway and port of the same, and also the rectory and parsonage of the church of St. Nicholas of Gallway aforesaid, with all the heriditamentes, profittes, offerings, tythes, alterages, emolumentes, and other comoditys whatsoever thereunto belonging, the impost and custome of wyne lately granted to her Highness by statute, and that shall happen yearly within the said towne of Gallway, and the port, creekes, and franchises of the same, and the offices of Receiver and Controller thereof, and the fishing and other comoditys thereof, lately demised to Roger Challoner, onely excepted, were, by indenture under the great scale of Ireland, bearing date the 11th

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day of September, 1578, in the 20th year of the reign of Queen Elizabeth, demised unto the Mayor, Bayliffes, and Comonalty of the towne of Gallway, and their successors, Mayora, Bayliffes, and Comonalty of the said towne for the term of fifty yeares, to comence from the expiration of the former lease made of the premisses unto Anthony Fitton, gentleman, for the term of twenty-one yeares, and bearing date the 22nd day of June, in the eighteenth yeare of her said Majestie's reign, at and under the yearly rent of *xlviili. xvis. viiid.*, monete Hibernie, making *xxxviii. xiiis. vid.* sterling, of which rent there was discharged the summe of four poundes, thirteen shillings and three pence per annum, being granted unto Sir John Everard and Patrick Gough by patent dated the 27th of January. *xiii<sup>o</sup> Jacobi Primi*, and then remained the summe of *xxxv. xixs. iiid.*, being the rent now in charge. And by charter from the late King James to the Mayor, Sherriffes, Burgesses of the county of the towne of Gallway, the same rent is reserved to the Crown.

"And whereas Robert Rochfort, Esquire, his Majestie's Attornie-Generall, on the 14th day of November, 1700, moved on the said constat for a seisure of the premises therein contained, alleading the rent reserved on the said lease to be arreares to his Majestie, thereupon it was ordered that a seizure should be accordingly issued, unless cause were shewn to the contrary within four dayes.

"And whereas by order of this Court of the *xxiiid* January 1700[-1], it was ordered on motion of Sir William Handcock, knight, Recorder of the city of Dublin, on behalfe of the Corporation of the said towne of Gallway, that the matter aforesaid should be and was referred to his Majestie's said Attorney-Generall to examine and reporte to the court how he, found the same, that thereon such further order should be made as should be fitt.

"And whereas his Majestie's said Attorny-Generall had accordingly made his report, whereby it appears that he findes Queen Elizabeth did, by indenture dated as aforesaid, demise the said custom to the said Mayor, Bailiffes, and Comenalty of the said towne of Gallway and their successors for the terme aforesaid, and to commence as aforesaid, which lease he finds expired in the yeare 1648 ; that he further finds, by several charters and other grants from the late Queen Elizabeth and King Charles the Second, that most of the particulars in the said lease were granted away to the said Corporation and their successors, and to the Archbishopp of Tuam and one Mrs. Elizabeth Hamilton, for ever ; that he likewise finds by the affidavit of Mr. Robert Shaw, Town Clarke of the said towne of Gallway, dated the second of March last, that the said Corporation hath not these thirty yeares past enjoyed any of the particulars mentioned in the said lease other than such as are granted to them by their charters ; and that he believes, when King Charles the Second was restored, he tooke into his own hands the customes coquetts and seale thereof, and the collectorshipp and fees and profitts mentioned in the said lease, which hath bin ever since enjoyed by the respective Customers and Collectors appointed by the Crowne ; and that the Archbishopp of Tuam, pursuant to the grant made by him to the Crowne, enjoys the Wardenshipp of Gallway, being united to the see of Tuam for ever, and that, since the said Robert Shaw's time, the said Corporation have not received any rent of the fee-farm of the said towne, and that the whole towne was by the Act of Settlement granted unto the [16]49 officers, and a considerable quit-rent reserved on them, which they pay to the Crowne, nor doe they enjoy any house to his knowledge except the Tholsell and gaole, and the ruined wallles of a small plot, whereon the Corporacion intended to build a Tholsell, and a small house or turrett on the towne, and at the key, wherein a guard is com-

monly kept, and two or three small sheds built against the towne wall, which he believes not all sett to forty shillinges per annum.

His Majesties Attorneies Generall further settis forth that, before he would make and report in this matter, he sent to Richard Thompson, Esquire, Clerke of the Quitt-Rent, and Mr. Benjamin Chetwood, to lay before him what information they could concerning this matter, and the said Chetwood acquainted him that he made enquiry relateing to the said charge, and that he found no reason in the office to issue the said charge; now, upon motion of councill made on behalfe of the said Corporation of the towne of Gallway, moveing on the said former order and his Majestie's said Attorney-Generall's said report, praying in regard it appeares by the said report that there is no ground for issueing the said charge of xxxlii. xixs., [iiid.], that the said Corporation may be discharged from the same and the arrears thereof:

"Wherupon, and on reading the said order and report this day in Court, it is ordered that the Corporation of the said towne of Gallway, and their successors, be and are herby absolutely discharged from the said xxxlii. xixs., iiid., per annum, and all arrears therof, being the remainder of the rent of xlviii. 16s. viiid., Irish money, makeing xxxviii. xiiis., vid., sterling, reserved on the said lease made to the said Corporation, soe as the said Corporation and their successors be no farther troubled or charged therewith, and if the Collector or Sheriffes of the said towne of Gallway have taken any bondes, billes, distresses or other security, for this cause, they are on sight herof to res[tore] same. Whereof the Collector and Sherriffes of the said towne of Gallway and all other officers and persons concerned are to take notice.

"ROBERT DOYNE.

"This order was obtained and solicited by Alderman Robert Shaw, Clerke and agent of this Corporation, at their charge.

"Entred in the Office of his Majestie's Auditor-General, 6th March, 1701-2.

"CHARLES DERING, Auditor-Generall.

"Copia vera: RICHARD BARRY.

"A generall complaint of the scarcity or want of mony that good mutton was usually sold on markt days for fower pence, five pence and six pence per quarter, and ordinary small mutton for three pence or lesse.

"1702: Thomas Stanton, Esquire, was, on the first day of August, in fol. 281. the yeare of our Lord God 1702, and in the first yeare of the reigne of our Sovereigne Lady, Anne, by the Grace of God, Queen of England, Scotland, France, and Ireland, Defender of the Faith, etc., by unanimous assent, elected Mayor (the second yeare) of the said towne, and was, on the eighth day of August aforesaid, approved of by the Lords Justices and Councell of Ireland, and, on the 29th day of September following, sworne as usuall:

"And the said Thomas Stanton did, out of his salary for the said yeare 1702, give one hundred poundes sterling towards the building the Exchange or new Court house which is intended to be built this yeare.

"Robert Ormsby, Esquire, Recorder.

"John Broughton, John Feuquier, Esquiers, Sherriffes.

"Robert Shaw, Alderman, Towne Clerke.

"This yeare, 1703, her Majestie nominated and appointed his Grace, fol. 281b. James, Duke of Ormond, Lord Lieutenant Generall and Generall

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Governor of this kingdom of Ireland, who, by her Majestie's order, issued writts for calling a Parliament to meet at Dublin the 21<sup>st</sup> of September, in the said yeare, and, in pursuance of a writt directed to the Sherriffes of the towne and county of the towne of Gallway, John Stanton and Edward Eyre, Esquires, were, by the freemen of the Guild Company of Merchantes, the Masters of the Severall Corporations, the four Serjeants at Mace, and freeholders (being Protestants) elected burgesses to serve at the said Parliament for the said towne and county of the towne of Gallway.

fol. 282.

"1703: James Ribet Vigie, merchant, was on the first day of August, in the yeare of our Lord God 1703, and in the second yeare of the reign of our Sovereign Lady, Anne, by the grace of God, of England, Scotland, France, and Ireland Queen, Defender of the Faith, etc., unanimously elected Mayor of the towne and county of the towne of Gallway, and was, on the 19th day of August aforesaid, approved of by their Excellencies the Lords Justices and Councell of Ireland, and was, on the 29th day of September following, sworne as usuall and took his place.

"Robert Ormsby, Esquire, Recorder.

"John Feuquier and George Gerry, Esquires, Sheriffs.

"Robert Shaw, Alderman, Towne Clerke.

fol. 283.

1704: John Eyre, Esquire, was, this yeare, by the most considerable and best of the Common Councell of the Corporation and Protestant inhabitants of the towne of Gallway, invited to towne and [to] take the Mayoralty on him, and accordingly was the first day of August, 1704, unanimously elected Mayor for the ensuing yeare, approved of and sworn the 29th of September following, as usuall.

"Robert Ormsby, Esquire, Recorder.

"George Gerry and William Hind, Esquires, Sherriffes.

"Robert Shaw, alderman, Towne Clerke.

"This yeare, the memorable battles of Hocsted and Blenheim were fought by the troops of her Majestie and her allys, under the command of his Grace the Duke of Marlborough and his Highness Prince Eugene of Savoy, wherein the French and Bavarians were intirely defeated, the Marshall Tallard taken prisoner, the empire rescued, and forty thousand men distroyd.

fol. 284.

"1705: John Eyre, Esquire, was, the first day of August this yeare 1705, elected Mayor of the towne of Gallway a second yeare.

fol. 284b.

"William Hinde, Mark Wall, Esquires, Sherriffes.

fol. 285.

"1706: John Eyre, Esquire, was, on the first day of August, in the year of our Lord God 1706, and in the fifth yeare of the reign of our Sovereign Lady, Ann, by the grace of God, of Great Brittain, France, and Ireland Queen, Defender of the Faith, etc., elected Mayor of the town and county of the town of Gallway, and was, on the thirty-first day of August aforesaid, approved of by their Excellencies the Lords Justices and Councill, and was, on the twenty-ninth day of September following, sworn as usuall.

"John Staunton, Esquire, Recorder.

"Mark Wall, William Fisher, Esquires, Sherriffes.

"Richard Rivett, gentlemen, Town Clerke.

"Memorandum: That the above named Mayor served this year gratis, in consideration that his salary of two hundred poundes should be applied towards building the new Exchange.

"1707: Richard Wall, Esquire, was on the first day of August, in the year of our Lord God 1707, and in the sixth yeare of the reigne of our sovereign Lady, Ann, by the grace of God of Great Brittain, France and Ireland, Queen, Defender of the Faith, etc., elected Mayor of the town and county town of Gallway, and was, on the thirty-first day of August aforesaid, approved of by his Excellencie the Lord Lieutenant and Councill, and was, on the twenty-ninth day of September following sworn as usuall.

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fol. 286.

"John Staunton, Esquire, Recorder.

"William Fisher, Henry Lardner, Esquires, Sherriffes.

"Richard Revett, gentleman, Towne Clerke.

"Memorandum: That the said Richard Wall dyed on the third day of July, in the year of his Mayoralty, in whose place John Gibbs, Alderman, was the same day elected and sworn for the remainder of the said year.

"1708: John Gibbs, Esquire, was on the first day of August in the year of our Lord God 1708, and in the seventh year of the reign of our Sovereign Lady, Ann, by the Grace of God, of Great Brittain, France and Ireland Queen, Defender of the Faith, etc., elected Mayor of the town and county of the town of Gallway, and was on the nineteenth day of August aforesaid, approved of by their Excellencies the Lords Justices and Councill, and was on the twenty-ninth day of September following sworn as usuall. fol. 287

"John Staunton, Esq., Recorder.

"Henry Lardner, Edward Barrett, Esquires, Sheriffs.

"Richard Revett, gentleman, Town Clerke.

"Jarvis Hinde, Esquire, was, on the first day of August, in the year of our Lord God 1709, and in the year of the reign of our Sovereign Lady, Anne, by the grace of God, of Great Brittain, France and Ireland Queen, Defender of the Faith, etc., elected Mayor of the town and county of the town of Gallway, and was, on the twenty-seventh day of August aforesaid, approved of by his Excellency the Lord Lieutenant and Councill, and was, on the twenty-ninth day of September following, sworn, as usuall, in the new Courthouse, he being the first Mayor that was sworn there. fol. 289.

"John Staunton, Esquire, Recorder.

"George Staunton, Charles Gerry, Esquires, Sheriffes.

"Richard Revett, gentleman, Town Clerke.<sup>1</sup>

"To the Mayor or Chiefe Magistrate at Gallway.<sup>2</sup>

"Admiralty Office, 28th of February, 1709-10.

"Sir,—I send you enclosed a commission or letter of mart for the John and Clement, John Davis, Master, which I desire you'll cause to be delivered to him after he has taken the oathes and subscribed the test as the law directs. I am, sir,

"Your most humble servant,

"J. BURCHETT.

<sup>1</sup> Leaves 288 and 290 to 300 are not in the Ms.; 301 is blank, 302 is missing, missing, and 303 to 385, inclusive, are blank. See pp. 381-2.

<sup>2</sup> This document has, through oversight, been inserted in the Ms. after leaf 160, between the entries for 1681 and 1682. See p. 482.

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"By the Commissioners for executing the Office of Lord High Admirall of Great Britaine, Ireland; etc. and of all her Majestie's Plantations, etc.

"To the Mayor or Cheife Magistrate at Gallway in the kingdome of Ireland:

"By vertue of the power and authority to us given by an act of Parliament made in the first year of the reigne of their late Majesties King William and Queen Mary entituled an act for abrogating the oaths of supremacy and allegiance and appointing other oaths, wee doe hereby empower, direct and depute you to administer and tender the oaths and test, appointed by act of Parliament, unto such persons whose commissions, warants or letters of mart shall be sent unto you, and see that they take the said oaths and subscribe the said test before you deliver the same to them; and you are to returne to this Board their subscription of the test, together with a certificate under your hand of their having taken the said oaths.

"Given under our handes, this 25th day of February, 1709-10.

"ORFORD.—J[OHN] LEAKE.—P[AUL] METHUEN."

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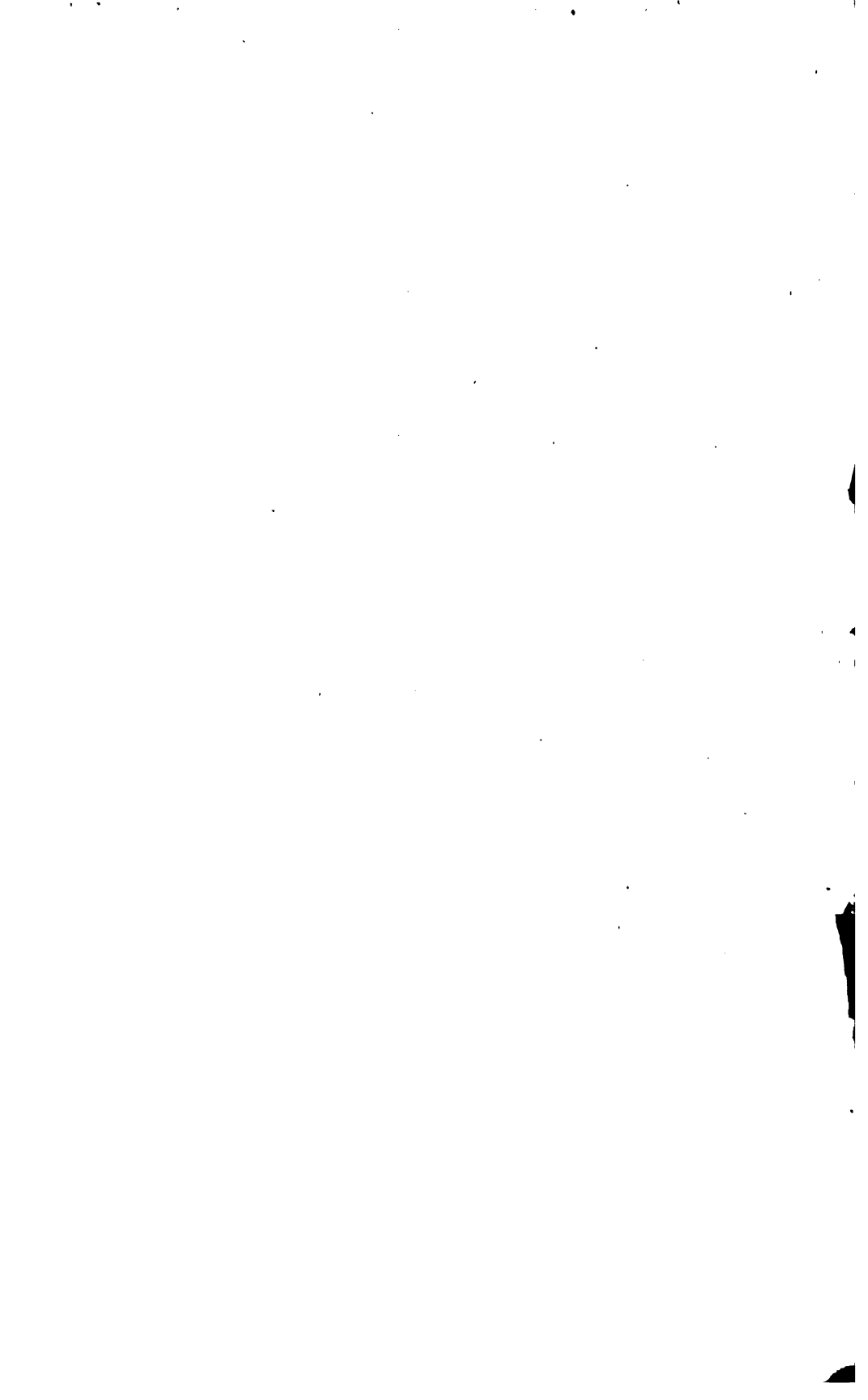
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**HISTORICAL MANUSCRIPTS COMMISSION**

**TENTH REPORT, APPENDIX, PART**

**THE**

**MANUSCRIPTS**

**OF THE**

**MARQUESS OF ABERGAVENNY, LORD BISHOP OF  
G. F. LUTTRELL, ESQ. &c.**

**Presented to both Houses of Parliament by Command of Her Majesty**



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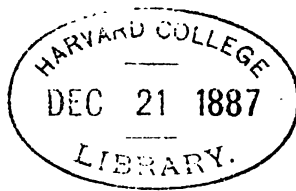
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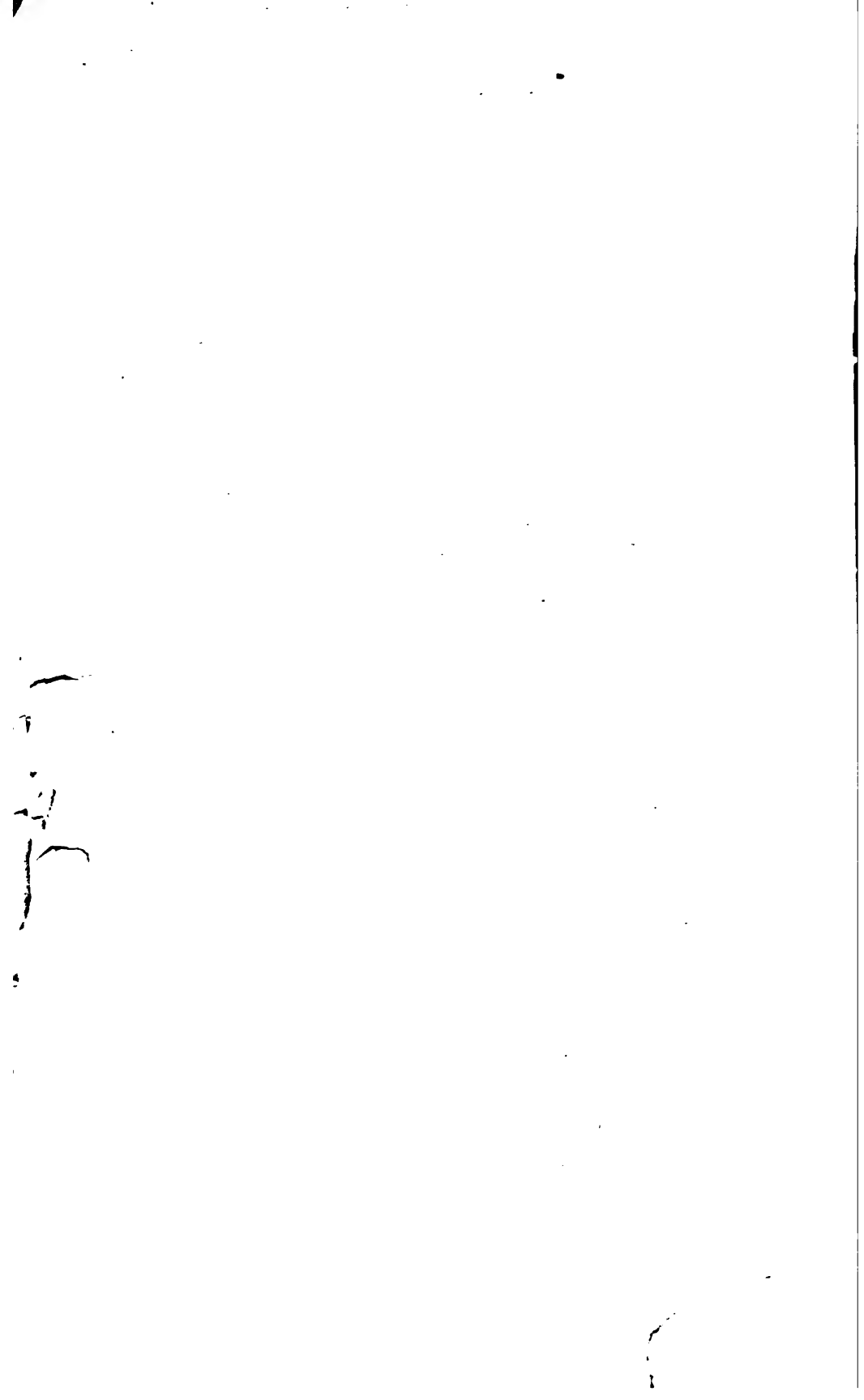


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## THE MANUSCRIPTS OF THE MARQUIS OF ABERGAVENNY.

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The following books and documents are in the library at Eridge Castle :—

MARQUIS OF  
ABERGAVENNY'S  
MSS.  
—

A thick volume, small folio, newly bound and lettered—"Officium Beate Virginis." It is richly illuminated throughout, and contains sixteen full-page paintings which are said to have been executed by Allan Strayler, illuminator to the Abbey of St. Albans. An inscription on the fly-leaf states that in 1561 the book belonged to Sir Henry Nevill, Lord Burgavenny.

A thick volume, quarto, in old binding, not lettered. It contains the Calendar, the Psalter, the Te Deum, the Athanasian Creed, etc., richly illuminated throughout. At the beginning there are some directions in French concerning masses and prayers to be said in honour of St. Leonard. There are also a few historical notes in a later hand :—Memorandum that on the 2nd of October, 1514, the Lady Mary, sister of King Henry VIII., crossed from Dover to Boulogne, where she was met by the Duke of Brittany, the Dauphin of France, the Duke Langueville, with other nobles, and four thousand armed horsemen (equitibus). Memorandum of the birth of Thomas Nevill of Mereworth, fifth son of Sir George Nevill, Lord Burgavenny, and the Lady Margaret his wife, at Birling co. Kent, March 1, 1482[-3]. Memorandum of the birth of Margaret Nevill, daughter of Thomas Nevill, knight, and the Lady Katharine Fitz-Hugh his wife, at Mereworth, September 26, 1520, and that her godfather was the Abbot of Boxley, and her godmothers, the Abbess of Mallyng and the Lady Wyett, and that her godmother before the Bishop was the Lady Margaret, wife of Sir John Heron of Hakeney, Treasurer of Kings Henry VII. and Henry VIII. Memorandum of the death of Margaret, wife of John Bramsby, of London, May 5, 1556. At the end of the volume are thirteen Latin lines about the Eucharist, beginning :—"Panis mutatur."

A volume of music in a rich binding of the 16th century, lettered "My Lady Nevill's Booke." The title page bears the Nevill arms, etc. and the initials H. N. One of the songs is entitled "My Lady Nevells grounde," another "The Lord Willobies welcome home," and another "Hugh Ashton's grownde." A paragraph at the end of the Table of Contents states that the book was finished on the 11th of September, 1591, by John Baldwine of Windsor. (See Chappell's "Popular Music of the Olden Time," vol. 1.)

A small volume, written on paper, quarto, entitled "The succession of the Barannes of Bergavenny, briefly sett downe, specially to sett fourth how the dignitie of that Barony hath alwayes gon with the possession of the place, and not by proximity of blood," dedicated to Queen Elizabeth by Edward Nevill of Abergavenny. The binding bears the royal arms, and there is a memorandum in the book that Queen Elizabeth gave the book to — North, who left it to his son, who gave it to — Haughton, attorney, of Clifford's Inn, who in 1668 gave it to Lady Bergavenny.

MARQUIS OF  
ABERGAVENNY'S  
MSS.

A folio volume bound in white, entitled—"A miscellanie of thinge very observable of that most illustrious and sometime princely family of the Nevills." It contains genealogical notes, copies of charters, drawing of arms, monuments, and seals, and extracts from different historical works, compiled in the seventeenth century.

A small volume written on paper, quarto, bound in rough brown calf, and entitled—"A Treatise of the Nobility of this realme according to the Lawe." It relates to the Barony of Abergavenny, and it was formerly in the library of the late Dr. Wellesley.

A volume written on paper, folio, and bound in green vellum. It contains extracts from court-rolls, escheats, and other documents, concerning the claim of the Lord Abergavenny to the office of Chief Larderer on the occasion of a coronation.

A volume written on paper, folio, and bound in white. It contains copies of the different documents transcribed in the "*Registrum Honoris de Richmond*," arranged in a somewhat different order. Besides the matter contained in that work as printed, it contains—

Genealogical table of the ancestors and relations of Ralph de Forneux.

Genealogical tables of the families of Manfield and Gartheston.

Memorandum concerning the issue of Simon de Hebden of Craven.

Grant by William Tunstall and four others to Sir William de Nevill, Lord of Fauconberge, of the manors of Busby, Faceby, Carleton, and Hilderwell, in tail male. March 20, 8 Henry VI.

Grant by the same to Sir Richard de Nevill, son of Sir Ralph de Nevill, late Earl of Westmoreland, of the manors of Dalton, Stotfalde, Newton, and Swayneston, in tail male. January 20, 4 Henry VI.

Inquisition taken after the death of Ralph, Earl of Westmoreland. November 12, 4 Henry VI.

Petition to James I. concerning the right of succession to Charles, Earl of Westmoreland, lately deceased.

Another petition to the same on the same subject, sent soon after the discovery of the Gunpowder Plot.

At the beginning of the volume there are a few notes on theology and on alchemy, and a copy of a letter from Henry VII. to the Earl of Oxford:—"Thorowe the folly and simpleness of suche as we put in truste to keepe Perkin Warbecke, he is escaped from them, and albeit it is noe great force where he be come, yet to the intent he might be punished after his deserte, we woulde gladlie have him againe. Wherefore cousyn we will and desyre you to cause good and sure serche to be made for him with all diligence all alonge our portes, creekes, and passages in those partes aboute you, that he in noe wyse passe those waies. And over this within the same portes and elsewhere that shall seeme good ye make open proclamacion that whosoever he be that taketh the said Perkin, he shall have for his rewarde an hundreth poundes with our speciall thanks." Given under the King's signet at Westminster, June 10 [1498].

A volume written on paper, quarto, and paged (ff. 1-108). It contains fair copies of the following:—

Order of the Council for revoking the old commission of the Navy and constituting a new one. July 4, 1660.

Letter from the Duke of York to the Navy Board, Whitehall. January 21, 1661.

A book of the duties of the several officers of the Royal Navy, viz. the principal officers and commissioners, the treasurer, the controller,



the surveyor, the clerk of the acts, the storekeeper, the clerk of the cheque, the master attendant, the master shipwrights and their assistants, the clerk of the ropeyards, the porters, the boatswain of the yards, the boatswain of the ship, the gunner, and the purser.

Letters of the Duke of York concerning the purser's duty. Hampton Court, July 12, 1662, and July 18, 1662.

Letter of William Bridgeman, concerning the victualling of the navy. Admiralty Office, July 26, 1697.

Draft of instructions for the commissioners for victualling the navy. A.D. 1697.

Court-rolls of different manors in the counties of Sussex and Norfolk.

Roll of accounts of Robert Smethecote, chamberlain of Rotherfield Chace. 5-6 Henry VI.

Letter of attorney of John [Kemp], Cardinal of St. Balbina, and Archbishop of York, to William Vyncent and John Ansty, to deliver seisin of the manor of Birling co. Kent, to Edward Nevile, Lord of Bergavenny and Elizabeth his wife. September 20, 19 Henry VI.

Grant by Cuthbert, Bishop of Durham, Thomas, Earl of Rutland, George Dudley, clerk, Robert Norwych, knight, Chief Justice of the King's Bench, John Spylman, Justice of the King's Bench, John Pakyngton, John Danyster, William Nelson, clerk, and Edmund Turner, to Henry, Earl of Worcester, of the manor of Yaldyng, co. Kent, etc. in tail male. December 4, 26 Henry VIII. Signatures affixed and seals attached.

#### THE POLITICAL CORRESPONDENCE OF JOHN ROBINSON.

The following documents have been arranged in chronological order, numbered, and placed in a tin box. Their character, and their bearing upon the history of the reign of George III. are indicated in the general Report of the Commission :—

1. 1770, December 6.—St. James's. Robert Wood to J. R. Concerning the stores demanded by the Lieutenant Governor of Minorca. "Secret."

2. 1770, December 14.—Same place. The same to the same. Concerning the same.

3. 1771, January 14.—The Earl of Sandwich to John Robinson. Concerning the renewal of a lease.

4. 1771, January 21.—The same to the same. Tell Lord North that I have promoted Baines, Lutwiche, Wickham, and Holloway. The Duke of Newcastle some years ago turned out Mr. Harkness from being Receiver-General of Huntingdonshire for no other reason than because he was my friend.

5. 1771, January 21.—Minutes of arrangements, given to Mr. Rice. Lord Suffolk to be Privy Seal. Mr. Wedderburn at present Solicitor General, Chancellor to the Queen, Privy Councillor, etc. Mr. Whately to have the Board of Trade, until he can be otherwise provided for. Lords Lyttelton, Hyde, and Thomond, to be first considered whenever any places suitable for them become vacant. Lord North does not exclude Cabinet places, but does not bind himself to them. "Private."

6. 1771, February 10.—Hinchbrook. The Earl of Sandwich to J. R. Solicits to be allowed to recommend one of the Aldermen of Huntingdon to be collector of the stamp duties in that county.

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MSS.

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7. 1771, February 25.—Admiralty. The same to the same. Introduces Mr. Scott, who is recommended for the living of Worplesden (Waplesden). A bad man may be got out and a good man got in for the borough of Rochester on very reasonable terms.

8. 1771, February 26.—Same place. The same to the same. Recommends Mr. Stephen Arundel to be distributor of stamps at Huntingdon. No resignation from Mr. Thurloe has yet come.

9. 1771, February 28.—Memorandum of the expenses contracted in fitting the "Warwick."

10. 1771, March 23.—Admiralty. The Earl of Sandwich to J. R. Concerning the removal of Mr. Lay. Hopes to obtain the living of Symondsbourne for Mr. Scott from the Governors of Greenwich Hospital. Desires an "ostensible negative letter" for Mr. Gascoigne, that he cannot succeed Mr. Fitzgerald as Receiver of the Quit-rents of the Crown.

11. 1771, July 26.—St. James's. S[tanier] Porten to J. R. Jacques will remain in the country for eight or ten days. Lord Rochford will write to Governor Mostyn. "Private."

12. 1771, July 26.—Same place. The same to the same. A letter to Jacques signed J. Cox is thought by some in the Post Office to have been written by Jacques himself. The postmark of Portsmouth makes me conclude that he is there, and too probably on some bad design. A gentleman went to his house this morning, spoke to his wife, and then went to Cockspur Street, where his servant waited with horses, and they galloped away in a great hurry. "Private."

13. 1771, July 27.—Same place. The Earl of Suffolk to Lord North. The King thinks it is very proper to confer the Lieutenancy of Monmouthshire on the Duke of Beaufort.

14. 1771, August 6.—Same place. The same to the same. Concerning the offers of a discovery made by Jonathan Britain, a prisoner at Reading.

15. 1771, August 7.—Same place. The same to the same. The King has accepted my recommendation of Dr. Alexander Webster as Dean of the Chapel Royal at Edinburgh. Lord Rochford and I have sent Messrs. Sutton and Whateley to Reading about the Portsmouth affair. The utmost caution is necessary in so suspicious a business. It is difficult to bring a person already in custody before the Secretary of State. The King has expressed himself against further delay in the disposal of the Lieutenancies.

16. 1771, August 9.—Same place. The same to the same. Messrs. Sutton and Whateley returned yesterday evening from Reading. On the information which they obtained from Jonathan Britain, Lord Rochford and I judged it necessary to issue our warrant for the apprehension of Rogers and Calene without loss of time.

17. 1771, August 14.—Compiègne. Earl Harcourt to the Earl of Rochford. Report of a conversation between the Duke D'Aiguillon and M. de Mercu. Madame du Barri gave a magnificent supper last Sunday to the foreign ministers. The Spaniard was the only one who was not there. He did not expect that the Nuncio would have waited upon the Countess, his predecessor having never visited Madame de Pompadour. Fuentes and the Duke D'Aiguillon are upon very bad terms. Madame du Barri did the honours extremely well. She gave us

music at supper, and afterwards Preville, Brisard, and M<sup>lle</sup> Vestris acted some comic scenes which they call *jouer des proverbes*. The King came in after supper for more than an hour, and seemed more at his ease than I had yet seen him. (Copy.)

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18. 1771, October 12.—The Earl of Sandwich to J. R. Concerning the appointment of a successor to Lay, as Surveyor of the Window Tax in Huntingdonshire. If it should appear that the power of the Government there is in my hands, I shall be able to choose three out of the four members at the next general election.

19. 1771, October 20.—Hinchbrook. The same to the same. Encloses—

(A.) Letter from William Gordon to [the Earl of Sandwich]. Concerning honorary freedoms of the borough of Rochester. Dated at Rochester, October 16, 1771.

20. 1771, November 14.—The Earl of Sandwich to J. R. Introduces Thomas James, who has been appointed Collector of Window Lights in the place of Lay.

21. 1772, February 8.—St. James's. The Earl of Rochford to J. R. I must draw in the usual official manner for 250*l.*, for a person whom I have employed in France for two years to obtain information. "Private."

22. 1772, March 6.—Dunkirk. Andrew Durnford to ———. Concerning an epidemic on board a Dutch East India ship of sixty guns in the Straits of Calais. "Private."

23. 1772, March 13.—Same place. The same to the same. An abstract of the new ordinance concerning the French navy, with remarks on the same. "Private."

24. 1772, March 22.—Geneva. C. Upton to Lord North. Concerning the extraordinary purchase of corn for the French army.

25. 1772, March 31.—Dunkirk. Andrew Durnford to ———. Details concerning the doggers and fishing-boats sailing from Dunkirk to the cod fishery off the coasts of Iceland and Newfoundland. The traders who sell goods to the English smugglers here were in great consternation a few days ago at a report that the duty on tea was lowered 1*s.* in the pound in England. It is the general computation that the smugglers bring 3,000 guineas into this town weekly in specie, besides what are carried to Calais, Boulogne, Dieppe, and into Holland. Gin is the spirit which is most smuggled into England. A great branch of smuggling is done from here on the coast of Ireland by wherries of about 100 tons burthen, having twenty or thirty men, and eight or ten carriage guns, three and six pounders. Particulars concerning the "Snow," and its captain, Conner, alias the Batchelor, or the Commodore. There are always here about twelve or fifteen of these Irish wherries, and about twenty smuggling vessels of different kinds, mostly from the coast of Sussex and Kent. The wherries load from the quay; the smaller vessels slip out and in when they please. The destination of the former is generally known.

26. 1772, April 7.—Same place. The same to the same. Chateau Trompette in the centre of Bordeaux is to be demolished. It will produce about 8,000,000 livres, or 349,200*l.* The Pretender, it is said, is going to be married to M<sup>lle</sup> Stolberg, sister to the Marquise de Jamaïque. Complaints of the breach of faith by the French Government concerning the Canada bills.

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27. 1772, May 12.—The Earl of Sandwich to J. R. Desires "an ostensible refusal" from Lord North to the application of a clergyman of Huntingdon named Hodgson for a prebend of Worcester.

28. 1772, May 16.—The same to the same. Your refusals are to civil. I wanted "a good set down" about the prebend of Worcester.

29. 1772, October 8.—The Earl of Suffolk to Lord North. Is setting out for Castle Rising.

30. 1782, October 10.—Bushy Park. Lord North to [the Earl of Suffolk]. Reasons for the advancement of Baron Smythe to the office of Lord Chief Baron. (Copy.)

31. 1772, October 12.—Castle Rising. The Earl of Suffolk to Lord North. I beg to be excused from being the channel to convey to the Solicitor General [A. Wedderburn] the news of his disappointment. The Chancellor [Lord Apsley] is at one moment peremptory, at another accommodating, and then again obstinate. His threatened resignation does not strike me as a matter of any mighty consequence.

32. 1772, October 24.—Lord North to A. Wedderburn. Explain the reasons for the advancement of Baron Smythe. (Copy.)

33. 1772, October 24.—Shooters Hill. Alexander Wedderburn to Lord North. Expresses satisfaction at the promotion of so able and so upright a judge as Baron Smythe. He must consider that the vacancy which he expected has not taken place.

34. 1772, November 15.—Hinchbrook. The Earl of Sandwich to J. R. Concerning the office of Inspector of Window Lights in that district. Hopes to bring in two good members for the borough, and one for the county, at the general election.

35. 1772, November 26.—The same to the same. Desires to see him about the borough of Portsmouth.

36. 1774, June 15.—St. James's. S. Porten to J. R. Concerning the present of 500*l.* wanted for the Ambassador from Morocco or from Tripoli at his departure.

37. 1774, August 18.—Same place. The same to the same. Lord Rochford desires to see him.

38. 1774, October 5.—Bushy Park. Lord North to <sup>[G R E Y]</sup> Cooper. Inform Sir Ferdinand Poole that Lord Pelham will not be his friend, and that therefore I advise him to retire. I was robbed last night as I expected. Our loss was not great, but, as the postilion did not stop immediately, one of the two highwaymen fired at him and bruised his side. It was at the end of Gunnersbury Lane. Consult with Rigby, Sayer, and Robinson for two good candidates for Westminster. A note should be written to Lord Falmouth in my name, and put into safe hands, informing him that Mr. Pownall can clear himself of the imputation of tampering at Tregony. His Lordship must be told in as polite terms as possible that I hope he will permit me to recommend to three of his six seats in Cornwall. The terms he expects are 2,500*l.* a seat, to which I am ready to agree. Sir Charles Whitworth must for the present be sent to East Looe, and Mr. Henry Conway to Lostwithiel. (Two sheets.)

39. 1774, October 5.—Islip. The same to J. R. I was detained at Bushy this morning. Let Pownall come in at Lostwithiel, and Conway at Tregony. "My noble friend [Lord Falmouth] is rather shabby in desiring guineas instead of pounds . . . . If he persists I would not have the bargain go off upon so slight a difference." I am afraid that it

is too late for Kennett to succeed at Windsor. I have not had a narrow escape, but my postilion had. I lost a very few guineas. I have promised Mr. Graves that he shall come in for East Looe, as soon as we can place Sir Charles Whitworth in any other seat. Lord Boston will pay 2,000*l.* for Mr. Irby. Prospect of success at different places.

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40. 1774, October 5.—Queen's House. The King to J. R. Commends his zeal, activity, and prudence. Desires news about the elections.

41. 1774, October 6.—J. R. to the King. Concerning the elections for London, Westminster, and Middlesex. (Draft.)

42. 1774, October 6.—Islip. Lord North to J. R. "Mr. Legge can afford only 400*l.* If he comes in for Lostwithiel he will cost the public 2,000 guineas." Gascoign should have the refusal of Tregony if he will pay 1,000*l.*, but I do not see why we should bring him in cheaper than any other servant of the Crown. If he will not pay, he must give way to Mr. Best or Mr. Peachy. Arrangements for the boroughs of Minehead, Plympton, Lostwithiel, East Looe, and Tregony. As the Duke of Newcastle has come into our proposal, we must strain every nerve for his service. Write in my name to Mr. Luttrell to recommend Mr. Pownall [for Minehead].

43. 1774, October 7.—State of the Court of Aldermen in respect to the scratching for Lord Mayor.

44. 1774 (dated 1772), October 7.—Queen's House. The King to J. R. Desires a list of the elections concluded by Wednesday, with description of the members under the heads of "Pro," "Con," and "Doubtful."

45. 1774, October 7.—Kew. The same to the same. "The very judicious mode adopted for the county [of Middlesex] and Westminster elections cannot fail of success if those employed are thoroughly active; and [I] hope in the City things may turn out well, though the many defeats in that quarter do not give great expectation."

46. 1774, October 12.—Lord North to J. R. Mr. Philips wants money. Demands of this kind will be coming upon us every hour. I ought to know where the fund is upon which we are to draw.

47. 1774, November 19.—Downing Street. The same to the same. Everything in England goes on as well as we could expect. The state of America is neither better nor worse than when you were in London. "I do not find my spirits flag, and am far from despairing of the republick." Let Cooper know whether you promised Masterman 2,500*l.* or 3,000*l.* for each of Lord Edgumbe's seats. I was going to pay him 12,500*l.*, but he demanded 15,000*l.*

48. 1775, February 1.—Admiralty. The Earl of Sandwich to Lord North. Recommends Mr. Bates, late Fellow of Peterhouse, for the vicarage of Halifax, if it should become vacant.

49. 1775, May 30.—The same to J. R. Concerning the election for Surrey.

50. 1775, May 31.—Admiralty. The same to the same. Concerning the same. Encloses—

[A.] Letter from George Marsh to the Earl of Sandwich. Concerning the same. Dated at the Navy Office, May 31, 1775.

51. 1775, June 4.—Duke Street, Westminster. The Earl of Suffolk to J. R. Encloses a petition.

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52. 1775, June 14.—Boston [in America]. General Burgoyne to Lord [North]. "I am in too humble a station to promise myself any hope of contributing essentially to his Majesty's service in the military line in America. My portion of command, in point of numbers, is inferior to what has often fallen to my lot as Lieut. Colonel, and when I look round me, I am persuaded it is not likely to be mended in point of enterprise." Desires to return to England for private reasons. "It would ill become me, and be of little use to your Lordship at present to expatiate upon the untoward state of affairs in this country. It is but tautology to repeat my assurances of exerting every thought, word, and act that can contribute on my part to retrieve (*sic*) them. My colleagues, Gen<sup>l</sup> Howe and Clinton, are equally zealous, and it is with pride and satisfaction I find we do not differ in a single sentiment upon the military conduct now to be pursued. But it is not within the most sanguine expectation that any stretch of our efforts, nor even the cooperation of his Majesty's councils at home, nor any success attending both, short of the interposition of a miracle, can restore the publick tranquility (*sic*) this year. My plan therefore to make myself useful towards the proceedings of the next is as follows:—That the commander in chief in America be wrote to in the next dispatches of his Majesty's confidential servants to dismiss me from the army as early as the propriety of any service in which I may be employed will permit—that the Admiral be at the same time instructed to facilitate my passage to New York, Philadelphia, or any other province where in my judgement his Majesty's service may call me, and afterwards to convey me to England. The friends of Government are suppressed, it is true, but notwithstanding appearances, I am far from beleiving (*sic*) their sentiments changed by the late events. The alarms which are spread and the real evils of the contest which will daily be felt more and more in every part of that continent, must operate to incline many to peace, who, strictly speaking may not come under the denomination of friends to Government. I therefore am persuaded that, without risk to my person, which I mean at the same time never to spare when the King's service demands it, I could find means to be received in those provinces where the war shall not actively have extended. In such places as are theatres not of arms but of counsels, it might possibly be expedient openly to profess, that being upon my return to England I wish to inform myself of the general sentiments of the Americans. Not charged with any direct proposal from Government, nor authorised to treat with them in a publick character, I have not less zeal in my capacity as a member of Parliament, a friend of human nature, and a sincere well wisher to the united interests of the two countries, to forward as far as in me lies the great work of reconciliation upon enlarged, solid, honourable grounds.

"This sort of language would not commit Government in any thing. It might nevertheless introduce me to general intercourse with all parties, and it would then be the great purpose to prepare for your Lordship such a delineation of the prevailing dispositions, expectations, proceedings, and powers of men in this country, as might enable you to come to Parliament with a more positive plan than in the uncertainty of these circumstances can be found. I doubt not your Lordship's consistency in asserting as heretofore the honour and interest of the nation in this great cause, and you shall find in me a steady, zealous, and an active supporter.

"My wish would be to embark upon my undertaking early in October, to arrive in England about Christmas; always understood that the whole or any part of this proposal is subservient to any military operation that may be thought more material to the King's service, or any wherein my

personal or professional honour might suffer by my absence from the army. I likewise mean to disavow any intention of relinquishing the service in America, should my presence be found necessary in a second campaign." My return may be either put entirely on the footing of private business, or laid before the King as a measure of state. (Two sheets.)

53. 1775, June 16.—St. James's. Sir S. Porten to J. R. Concerning the salary of the English Consul at Corunna.

54. 1775, June 24.—Memorandum in the King's hand as to his manner of receiving petitions from the citizens of Landon.

55. 1775, June 27.—Plymouth. The Earl of Sandwich to J. R. Concerning the appointment of the Receiver of the county of Huntingdon.

56. 1775, July 15.—Admiralty. The same to the same. Desires to see him.

57. 1775, July.—A. Wedderburn to Lord [North]. Concerning the war in America. "In all undertakings carried on by the arms of this country the beginning has been unpro[s]perous. . . . This country is never sufficiently prepared. . . . The misconduct of the General and Admiral is the most obvious cause of the present bad posture of affairs in America." Severe criticism of the former. The conduct of the latter has been spiritless. The removal of commanders is a disagreeable measure, but it has always been a fortunate one. A much greater force is now necessary. "To send troops from Ireland, where they can best be spared, is certainly against law, but it is a breach of law to be hazarded and defended. It is better than a foreign force, because it looks less like a desperate resource." Young men of distinction should be induced to enter the service. A proclamation against the encouragement of treason would be a useful measure. "Addresses from the country in support of Government, which are never worth solicitation, would soon follow unasked." It would be well to give one or two instances of the disfavour of Government to those who have been open and indiscreet patrons of sedition, and have honours dependent upon the pleasure of Government. "The examples should be few, well chosen, and have no air of country politics." The boldest is the safest part. (Two sheets.)

58. 1775, July 31.—Bushy Park. Lord North to General Burgoyne. His Majesty fears that your plan cannot be carried into execution. If taken, you would be a valuable hostage. We cannot send you much above 2,000 men more in the course of this campaign, but in the spring you will have 20,000 regulars or more in the two armies. We are all perfectly sensible of the importance and difficulty of the contest, and mean to exert every nerve to put a safe and honourable end to it. Our wish is not to impose on our fellow subjects in America any terms inconsistent with the most perfect liberty. I cannot help thinking that many of the principal persons in North America will, in the calmness of the winter, be disposed to bring forward a reconciliation. Now they are too angry, too suspicious, and too much under the guidance of factious leaders. Our fleet is daily increasing. Sailors flock in as fast as the ships can be fitted out, and there has been as yet no occasion for pressing. There never was so much business in every branch of manufacture as at present. The interruption of our intercourse with North America must be felt some time or other, but hitherto we are not sensible of it. The desire of establishing our authority in America gains ground daily, notwithstanding the labours of the Lord Mayor and his faction.

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Despatch of money and provisions. Measures to be taken if it is decided to abandon Boston. The gallantry and ability of General Howe, and the bravery of the men whom he commanded on the 17th [of June at Bunkers Hill] are the admiration of their countrymen, but the number of wounded and killed makes my heart bleed. I would abandon the contest were I not "most intimately convinced" in my own conscience that our cause is just and important. (Copy. Three sheets.) "Private."

59. 1775, August 4.—Kew. The King to J. R. "Mr. Robinson's accurateness and expedition in executing whatever he is entrusted with can only be equalled by his zeal and integrity. He has judged perfectly right in sending the warrant, which is very properly drawn up, and may be sent to Lord North and two other lords for countersigning. Col. Faucitt cannot set out till next week for Hanover, therefore Mr. Rigby need not issue the money till the warrant has gone through the usual forms. I cannot help saying no Paymaster was ever so accommodating as the present one."

60. 1775, August 8.—Ross. Lord North to J. R. It might have been more prudent to issue the 10,000*l.* to Col. Faucitt out of the civil list in the first instance. No mention of the employment of foreign troops was made in Parliament before the recess. That step is always delicate. If any other person should have the same scruples with myself, the warrant may be withdrawn. Make enquiries about Captain Sauvage. The troublesome Taunton business will probably oblige me both to come up to London and to attend the assizes at Wells. If I find the letter from the Corporation in my private drawers, I shall not choose to put it into the hands of the plaintiff or his attorney, and so shall be obliged to give my personal attendance. This will make me travel about 250 miles extraordinary, and overturn my plans. The news from Sevenoaks about Mr. Evelyn gives me much pleasure. Instructions concerning various applications and proposals made by Mr. Pownall, Mr. Wilson, Dr. Horn, Mr. Prescott, and Mr. Selwyn, etc. (Three sheets.)

61. 1775, August 8.—St. James's. Sir S. Porten to J. R. Sends intelligence. The King has seen it.

62. 1775, August 12.—Syon Hill. J. R. to Lord North. Concerning the warrant to Col. Faucitt. The Solicitor General warmly approved of the proclamation. The Attorney General told me that the expediency of the measure was not determined, and that he foresaw no good to result from it. He promised, however, to see the Solicitor about it. Concerning provisions and clothes for the army in America. Concerning a proposal to establish repositories for British manufactures at Long Island and Rhode Island. Concerning the proposed recall of Gage and Graves. Private intelligence about the turbulent shipwrights at Woolwich. Precautions necessary about the exportation of gunpowder. Concerning various applications. Complaints from the Indian powers should be sent to the Governor General and Council of Bengal, rather than to England. Maclean's reasons for coming over from Bengal. Advice about the trial at Wells. (Eight sheets.)

63. 1775, August 13.—The Attorney General [E. Thurlow] to J. R. He does not know how to speak decisively upon the exigence or expediency of this individual measure, but he agrees with the doctrine contained in the draft of the proposed proclamation.

A.B. [1775, August.]—Drafts of a proclamation for suppressing rebellion and sedition.



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c. 1715, July 25.—Copy of a proclamation for suppressing rebellions and rebellious tumults.

64. 1775, August 15.—Lord North to J. R. Concerning Mr. Onslow and Lieut.-Col. Maclean.

65. 1775, August 15.—Sunbury. The Earl of Suffolk to J. R. The Attorney General's note is as sulky as the rest of his behaviour. The Solicitor has not seen the proclamation since it came out of the Attorney's hands. His inspection of it will be necessary.

66. 1775, August 16.—The same to the same. I submitted to the King the expediency of ordering clothing for Maclean's Highlanders, but his Majesty thought it uncertain whether it would be possible to raise them.

67. 1775, August 25.—Freckenham. J. Bates to [the Earl of Sandwich]. Solicits a promise of the living of Halifax, which is likely to be soon vacant.

68. 1775, August 30.—Wakefield Lodge. The Duke of Grafton to Lord North. The inclinations in general of men of property in this country, and the declarations held forth even by the leaders of the Congress in America differ little more than in words. A petition from persons styling themselves the deputies of the United Colonies met in Congress may be inadmissible by his Majesty, but the contents may encourage individuals to state to the whole legislature the wishes and expectations of the different colonies. Your lordship may not know that many persons, hearty friends to Government, have altered their opinions by the events of this year. If Parliament meets early, might not the two Houses address his Majesty that orders should be given to his General to communicate to the rebel army that, from various motives of tenderness, affection, and humanity, no hostile step should be taken if the colonies would depute persons to state their wishes?

69. 1775, September 4.—Hinchbrook. The Earl of Sandwich to J. R. Concerning the Mayoralty of Portsmouth.

70. 1775, September 6.—Hinchbrook. The same to the same. My younger son's case is quite desperate. "When a vacancy happens at Huntingdon, I could wish to have a candidate ready to start immediately. I should not like a merchant or a meer (*sic*) moneyed man, for reasons which I have already told you, and yet a sum of money will be necessary, tho' upon such terms as no one would refuse. The terms in short that I must have are 2,000*l.* to be lent to me for five years on my bond, and to pay the expenses of the election, which in all probability would not amount to 300*l.*" The conditions offered to Capt<sup>n</sup> Phipps are "the thinking and acting as I do in all American points, and supporting the present administration in their whole system."

71. 1775, September 10.—Same place. The same to the same. I am sorry to hear that the idea of recalling Admiral Graves is again revived, for I think it is unjust. "I am, however, not so indiscreet as to opinate this matter after the impression I perceive it has made at the fountain head."

72. 1775, September 22.—50, Margaret Street. Lieut.-Col. John Maunsell to Lord North. Renews his offer to return to America without any expense to the Government.

(A.) Same day. Alternative scheme by the same for recruiting soldiers in the neighbourhood of Limerick.

73. 1775, September 26.—Hinchbrook. The Earl of Sandwich to J. R. Concerning Mr. Jackson.

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74. 1775, October 3.—Cavendish Square. Lord Barrington to Lord North. There are no more troops in England than are absolutely necessary for securing the peace and collecting the revenue. Nothing would please the Irish so much as some indulgence in respect to the exportation of the woollen manufactures of that country. Encloses—

(A.) A statement of the forces in England on the 2nd of October 1775. Exclusive of cavalry, guards, and invalids, the whole rank and file from Portsmouth to Newcastle numbers 3,360. Exclusive of the 42nd Highlanders there are in Scotland 1,120.

75. 1775, October 6.—St. James's. Sir S. Porten to J. R. Concerning an address to the King. Encloses—

(A.) Draft of an address to the King from the Justices of the Peace for the City and Liberty of Westminster.

76. 1775, October 9.—War Office. A. Chamier to J. R. Sends an extract from a letter from Lord Barrington adverse to the scheme of Col. Maunsell.

77. 1775, October 13.—St. James's. The Earl of Suffolk to J. R. The people at Kendal are much divided in opinion upon American affairs. Dowker wishes to know whether he is to try to obtain an address from thence at all hazards.

78. 1775, October 14.—Sunbury. The same to the same. Encloses an application.

79. 1775, November 3.—Hastings. Edward Milward to J. R. Particulars concerning the election of Charles Jenkinson as Member of Parliament.

80. 1775, November 4.—London. Charles Jenkinson to J. R. Concerning the election at Hastings.

81. 1775, November 8. The Earl of Dartmouth to J. R. "If I take the seals that are offered me, I shall render myself ten times more miserable than I am." I think it as reasonable that a noble Viscount [Weymouth?] should be expected to accommodate as myself. I am divided between my dread of a situation in which I foresee no satisfaction and my love for Lord North.

82. 1775, November 9.—The same to the same. "The suspense in which I have been since I received your note is a state of no small agony. Believe me if you can."

83. 1775, November 10.—Sir S. Porten to J. R. He has delivered Lord North's message to Lord Rochford.

84. Same day.—The same to the same. Concerning Lord Rochford's pension.

85. 1775, November 10.—St. James's. The Earl of Suffolk to the Lords of the Treasury. Encloses—

(A.) Copy of a letter from the Lords of the Admiralty, dated November 9, 1775.

(B.) Copy of a letter from Capt<sup>n</sup> Pearson, commander of His Majesty's sloop "Speedwell," to Mr. Stephens, dated in Dover Road, November 8, 1775. He recounts his proceedings with regard to the "Patriote," a snow of Altona, supposed to be laden with arms and saddles for the rebels in America.

86. 1775, November 10.—Sir S. Porten to [J. R.]. Concerning Lord Rochford's pension.

87. 1775, November 19.—Admiralty. The Earl of Sandwich to J. R. Hopes that Mr. Chamberlain and other members of the University of

Cambridge will go down to support an address to the Crown, which will be proposed by the Vice-Chancellor, but opposed by the Chancellor's party and Lord Granby.

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88. 1775, November 20.—Same place. The same to the same. Concerning the same.

89. 1775, December 4.—The Earl of Suffolk to J. R. The election in Westmoreland is to be on Thursday. There is much dissatisfaction expressed at Sir James [Lowther's] candidate, but no appearance of opposition. I wish that Lord North would dismiss him from his Lieutenancies, which would be a *coup de grace* to his importance in the two counties.

90. 1775, December 4. [Charles] Jenkinson to J. R. Major Whitmore appears disposed to leave opposition. It is surely wise to encourage Mr. Hawke, who is desirous to oppose Lord Rockingham at York.

91. 1775, December 6.—Sir S. Porten to [J.R.]. Concerning Lord Rochford's pension.

92, 93. 1775, December 11, and 13.—St. James's. The Earl of Suffolk to the Lords of the Treasury. Concerning the seizure of the "Anna Catherina" by his Majesty's sloop "Speedwell."

94. Same date and place. The same to the same. Concerning the ship "Patriot."

95. 1775, December 20.—Headington, near Oxford. Charles Jenkinson to J. R. A petition has been presented in his name to the Irish House of Commons without his signature, consent, or knowledge. He desires to know what Lord North wrote in his last despatch to Ireland concerning [the clerkship of] the Pells, and the office of Vice-Treasurer.

96. 1775, December 26. The Earl of Dartmouth to J. R. Concerning the living of Halifax. Encloses—

(A.) Application for the living of Halifax from John Walker of Waterclough.

(B.) Application for employment from James Gardiner.

97. 1775, December 27.—St. James's. The Earl of Suffolk to the Lords of the Treasury. Concerning a vessel in Swansea Bay, supposed to be laden with military stores, saltpetre, or lead.

98. 1776, January 7.—The Earl of Dartmouth to J. R. Recommends the son of Mr. Ferrall of Bristol.

99. 1776, January 12.—St. James's. Sir S. Porten to J. R. Concerning the living of Thurcaston.

100. 1776, January 15. Same place. The same to the same. Concerning the same, and concerning the revocation of the letters patent by which Sir George Macartney was appointed Constable of Toome Castle.

101. 1776, February 10.—Same place. The same to the same. Desires to see the memorandum made about himself in the Treasury Book. "Private."

102. 1776, April 6.—Bushy Park. Lord North to J. R. Concerning the election of Directors of the East India Company.

103. 1776, May 20.—The same to the same. Sir Ralph Payne is eager for the seat [at St. Germans]. If Mr. E[liot] does not approve of him, you had better "liquidate with him," as he proposes. "Mr. P[ownall] having sat but one session out of six, I suppose Mr. E[liot]

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will not object to return 2500*l.*, which is the just proportion, of the sum originally paid."

104. 1776, June 14.—St. James's. Sir S. Porten to J. R. Lord Rochford desires that the Custom-house vessel may be permitted to carry him from Calais to St. Osyth on his return from his tour to Holland.

105. 1776, June 17.—Mistley. Richard Rigby to J. R. Desires to find a living for Mr. Pitman, a friend of Lord Weymouth.

106. 1776, July 10.—St. James's. Sir S. Porten to J. R. Encloses a letter from Lord Rochford.

107. 1776, July 24.—Calcutta. Richard Barwell to J. R. "Mr. Hastings and I have been equally disappointed in our views to conciliate our associates, and I fear all our future endeavors will prove as vain and futile as the last. The government and the command of the forces in reversion are objects of too grand a nature to be relinquished voluntarily.

. . . If it is judged necessary hereafter that the chair shall be vacated, to promote the General [Clavering] and Colonel [Monson], do me the justice to believe that I will not decline my services while I think I can in any respect render them to the satisfaction of the minister and the Company." "Private."

108. Duplicate of the above.

109. 1776, August 26.—Bushy Park. Lord North to General Carleton. The King has expressed high satisfaction at your conduct in Canada, and his intention of conferring upon you the Order of the Bath. He has also declared his intention of adding some further mark of his approbation. He will give you an annuity for three lives out of any revenue in Canada in the disposal of the Crown. If no such revenue exists, he proposes to order a pension of 1,000*l.* per annum to be made out of the Irish establishment for the lives of yourself, Lady Maria, and any one of your children. You have well deserved this reward from your country. Whether all or any of the colonies do or do not return to their duty, Canada must be the main support of British authority in North America. To establish the Government of Quebec in a manner that shall be agreeable to the people, and at the same time to secure their obedience to this country, is an arduous and important task. Your suggestions will have the greatest weight with us. Particulars about money and provisions. It may not be amiss to put you on your guard against an attack from the French. (Draft, much altered.) "Private."

110. 1776, September 4.—Fort William. Warren Hastings to J. R. Your letters have confirmed me in the line which I had before prescribed to myself for my public conduct. "In spite of every mortification and indignity which I suffer here, and greater from home, I will not abandon the honourable and distinguished trust which was assigned me." Any further steps which may be necessary to create that harmony which you so earnestly recommend, must be made by those who possess the absolute rule of this government, and whose unprovoked attacks I have hitherto suffered without attempting to retaliate them. I have entire confidence in the justice and candor of Lord North. I hope that I shall be honoured with your friendship, of which I know the value.

111. Duplicate of the above.

112. [1776, September.]—Richard Barwell to J. R. Concerning Mr. Wordsworth. Being forbidden to attend public business, I have not lately much frequented the councils. If I do not find myself better, I will take my final leave of India. Now I am totally useless.

113. Duplicate of the above.

114. 1776, September 28.—Sandwell. The Earl of Dartmouth to Lord [North]. Congratulates him on the providential preservation of his life.

115. 1776, October 6.—Kew. The King to J. R. "Mr. Robinson's letter from Paris, and the extract of one to Mr. St. Paul from Dieppe are very unpleasant. I have the strongest reason to believe the French have given ear to the most absurd suspicion that if the troops in America do not meet with success, that they are instantly to proceed to the West India Islands, and wipe out the disgrace of the loss of North America by a conquest on the French. There cannot be the smallest doubt that the friends to the American Rebellion are the fabricators of this lye, and that they will if they can put Ireland also in a combustion. The scene may appear gloomy, but I trust with rectitude and resolution a different aspect will be obtained. It has been a very comfortable gift of Divine Providence to me, that when difficulties arise my spirits also increase, for where the cause is just I can never be dismayed."

116. 1776, October 8.—Same place. The same to the same. The arrangement of the letter of resignation for Mr. Hastings will prevent much irksome business from coming before the House of Commons. "Some delicacy may be necessary in stating the foreign article of the speech, but as to the American, a firm and manly determination of a thorough exertion of every nerf to bring the rebellious collonies to submission, and some spirited expressions to draw forth the resolution of the landed interest to make them chearfully contribute to what so nearly concerns them."

117. 1776, October 8.—Woodsome. The Earl of Dartmouth to J. R. Declines an office (the Lord Lieutenancy of Ireland) offered to him by Lord North, as certain to be productive of disgrace and misery both to himself and to the public.

118. 1776, October 15.—The King to J. R. Concerning the vacant Lieutenancy of Ireland. "There is no one event has given me more real pain than the seeing Lord North so much grieved on this subject, and there is no length I would not go to ease his mind, except the taking a step that would even involve him in the greatest difficulties. Lord Hillsborough has no property but in Ireland; if he is appointed it will set all the Irish peers that live in Ireland to flatter themselves to acquire that office, which must naturally create a constant degree of ill humour in the House of Lords of Ireland. Besides, I am sorry to say, I do not know a man of less judgement than Lord Hillsborough, and consequently less qualified to fill that office with dignity or propriety. Every one of the members of the Cabinet know my sentiments on this subject, and therefore I cannot with any degree of decency accept of a recommendation that I from conviction think an improper one. As to Lord Buckingham[shire], he has been knocking at every door. I am therefore resolved not to accept of him, because he would not appear as recommended by Lord North. Mr. Robinson could not do me a more acceptable service than by suggesting any decent peer to Lord North, whom I ever wish to oblige; but Mr. Robinson would certainly feel the impropriety of my doing it at the expence of what I think no man ought, I mean by doing wrong. Nay, I even told Lord Hillsborough himself that I would never approve of him for that office."

119. 1776, November 25.—Calcutta. Richard Barwell to J. R. The unexpected death of Col. Monson, with the urgent instances of the Governor General have inclined me to forego my design of leaving Bengal. Arrangements concerning Mr. Wordsworth. "Private."

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120.—Duplicate of the above.

121. 1776, December 17.—Poland Street. P. Wentworth to Lord North. Gives an extract from a letter from Nantes concerning the arrival of Dr. Franklin, and particulars of the mission of M. Carmichel from Paris to Berlin.

122. 1776, December 27.—Hill Park. Lord Hillsborough to J. R. If Lord North inclines to let me have my plaything no time is to be lost, as Lord Harcourt prepares to come away. It can be done by King's letter granting me the sum annually, in lieu of my own and ten Warderers' salary. (Endorsed by J. R. "Fort Hillsborough.")

123. 1776, December 28.—The Earl of Dartmouth to J. R. Recommends an applicant for an office.

124. 1776, December 29.—The same to the same. Concerning applicants for offices.

125. 1777, January 3.—Lord Hillsborough to J. R. My fort is likely to be bombarded by the Attorney General [of Ireland]. Mention of the letters patent of Charles II.

126. 1777, March 2.—Treasury Chambers. J. R. to the officers of the customs at Dover. Order for the search of the baggage of a gentleman who is going to France. (Draft.)

127. Same day and place.—The same to the Earl of Suffolk. Encloses copy of the above. (Draft.)

128. Same day.—The Earl of Suffolk to J. R. Approves of the letter.

129. 1777, March 21.—Duke Street, Westminster. The same to the same. Acknowledges receipt of letters.

130. 1777, May 17.—Victoria. Declaration by Count Florida Blanca to Mr. Lee as to the intentions of the King of Spain relative to the United States of America.

131. 1777, May 18.—Victoria. Reply of Mr. Arthur Lee to the declaration of the King of Spain in favour of the United States.

132. 1777, June 6.—New York. Sir William Howe to J. R. Major Balfour and I send our warmest thanks for your extreme attention in providing every necessary supply for this army. We must not expect to see the war terminated this campaign, though I hope we shall strike deep towards concluding it in the next. "Private."

133. 1777, July 17.—J. R. to P. Stephens. Concerning the ship "Richard Penn," starting for America. (Copy.) "Private."

134. Same day.—The same to — Stanley. Concerning the same. (Draft or copy.) "Most private."

135. [1777, July.—Extracts from a letter from a spy (?) at Paris, concerning the relations between England, France, and America.]

136. 1777, August 3.—Bushy Park. Lord North to [General Carleton]. "General Haldimand is the person intended by his Majesty for your successor in the government of Canada. That gentleman is now in Switzerland upon a visit to his relations, and it is hardly possible that he should set out for Canada time enough to make his passage this year." The King has given orders for a warrant for a pension out of the Irish establishment. "All the letters from Gen<sup>l</sup>. Burgoyne and the other officers of the northern army are full of the warmest acknowledgements of the cordial, zealous, and effectual assistance they have received from you." I have been too busy to give a thorough examination to

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your *ordonnances*. Whatever may be the success of our arms, our influence, power, and existence, in North America will henceforward principally depend upon the possession of Canada. "By my other letter to you of this date you will understand that his Majesty leaves you entirely at liberty to continue in the government of the Province of Quebec, if you think fit, and on that account will not permit Mr. Haldimand to set out till after your arrival in England." (Copy.) "Private."

137. 1777, August 7.—Memorial delivered to France and Spain by the three Commissioners of America. (Copy.)

138. 1777, August 15.—Fort William. Warren Hastings to the Court of Directors of the East India Company. Concerning his proposed resignation. (Copy. Three sheets.)

139. 1777, August 24.—Hovingham. Thomas Worsley to [J. R.]. Solicits the appointment of his son to the living of Stonegrave.

140. 1777, August 25.—Greenwich. William Eden to Lord North. Encloses letters from Robinson, Wentworth, and Lupton. There is reason to believe that the Bourbon Court will for the present desist from any measures that might occasion an immediate war. The French, however, persist in sending the additional battalions to the West Indies, and will accompany them with frigates. Lord Mansfield deprecates any measure that tends to war. A resolution that eight additional frigates, from 28 to 32 guns, be employed in the North American service would certainly be a wise measure. "It has for many months been clear to me that if we cannot reduce the colonies by the force now employed under Howe and Burgoyne, we cannot send and support a force capable to reduce them."

141. 1777, August 26.—Hampton Court. The Earl of Sandwich. to Lord North. Encloses—

(A.) Statement of the naval forces of England, France, and Spain. Ships of the line in Europe—Spain 21, France 23, England 35; out of Europe—Spain 20, France 1, England 8. "In this situation are we safe at home, and can we on any emergency venture to detach, without more ships being immediately commissioned?"

142. 1777, August 28.—Kew. The King to J. R. Concerning the living of Stonegrave, and the misfortunes of Captain Brereton.

143. 1777, September 7.—Fort William. Warren Hastings to Lord North. The death of General Clavering has made no change in my intention to continue in the government, although I know not a man into whose hands I should be better pleased to relinquish it, than in those of Mr. Barwell, my immediate successor. I have no cause to suppose that he would be allowed to keep it. "Unless I knew it to be your wish, and his Majesty's pleasure, that I should remain, no consideration upon earth shall prevail with me to solicit it. I wish to approve myself a profitable agent to the Company, a benefactor to my country, a good and loyal subject and servant to my King." (Two sheets.)

144. Duplicate of the above.

145. 1777, September 12.—Kew. The King to J. R. "Friday will be time enough to further prorogue the Parliament to the 20th of November, or to issue the proclamation for its assembling on the 30th of October. If money matters can be so managed as to postpone it to the later day, I should think on all subjects it would be most desirable. I am sorry Lord North seems rather out of spirits, but I am certain when he has seen Mr. Robinson he will be more cheerful. I have

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always wished him to be quite open with Mr. Robinson, but much less so with many others that now and then do more harm than good."

146. 1777, September 19.—Syon Hill. J. R. to the King. "His Majesty's discernment certainly perceived what oftentimes preys on Lord North's mind; it is the situation of his private affairs . . . Lord North's allowance from Lord Guildford on his marriage was not large, and his estate, including Lady North's, is not at present considerable, or of a nature Mr. Robinson believes very productive . . . He believes it not to be above 2,500*l.* per annum, and not near so much nett to him. Lord Guildford, although his estates are 10,000*l.* per annum, has not made any further allowance to Lord North, except 300*l.* a year to Mr. North while he was at Oxford, and what he may now be pleased to add for the young gentleman while abroad. Under these circumstances, without any extravagance, but with so large a family, when from situation Lord North can't minutely attend to the oeconomy of it, his expenses, he has told Mr. R. repeatedly, have every year since he was First Lord of the Treasury very largely exceeded his income. Consequently he has been obliged to borrow money from time to time, and Mr. R. believes, that what with money borrowed, and debts outstanding to tradesmen, his Lordship owes near 10,000*l.* At least Lord North has told Mr. Robinson frequently that that sum will set him clear, and the thought of this his situation frequently distresses his mind, and makes him very unhappy." His mind has been agitated by this, in addition to the perplexities of his public situation, as indeed it is on every occasion when things press disagreeably. He has said "that he found his health so much impaired, his abilities fail, and his mind enervated, and that he was unable to bear the anxieties and distress brought upon him by these things, which preyed upon his spirits and shook his constitution." Otherwise he did not feel himself unequal in any respect to the business of Parliament, and he was ready to meet faction there in its utmost strength. Mr. Robinson has urged Lord North to state his situation to your Majesty with great openness and to depend on your royal munificence, but, from Lord North's delicacy and natural reservedness, he never could succeed. (Draft. Six pages. See the King's letter to Lord North, No. 410 in Mr. Donne's edition.)

147. 1777, September 25.—Downing Street. Lord North to —Forth. The frank declarations of M. de Maurepas, combined with the orders lately given by the French ministry, and the restitution of the Jamaica ships, make me more sanguine than I have been for some time past in my expectations of the continuance of peace. You may assure M. de Maurepas that it is our fixed intention to maintain peace with our European neighbours, whatever may be the event of the American war. (Copy in J. R.'s hand.)

148. 1777, September 25.—Treasury Chambers. J. R. to the same. Lord North has ordered 500*l.* to be paid to you, in addition to the 300*l.* which you will receive in bank notes with this. (Copy.)

Lord North to the same. "At present I am to pay you 400*l.* per annum salary, and 100*l.* a month, while his Majesty thinks it necessary for his service that you should live in an expensive manner at Paris. Whatever else is paid to you must be to answer disbursements." (Copy in J. R.'s hand.)

149. 1777, September 26. Lord North to J. R. Concerning Captain Laurence.

150. 1777, September 27.—Treasury Chambers. J. R. to Sir William Howe. Concerning the same, a most determined enemy to this



country, who constantly sails between Great Britain and New York. (Draft.) "Private."

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151. Same date and place. The same to the same. Our anxiety for your success makes us impatient to hear from you. (Draft.) "Private."

152. 1777, October 1.—Tanjore. The Rajah Shree Ram Predaun to the King of Great Britain. Complaints against the Nabob. (Translation. Two sheets.)

153. 1777, October 2.—Fort William. Warren Hastings to Lord North. Until the arrival of Mr. Elliot, I neither knew the nature of Mr. Maclean's engagements, nor the degree in which his faith was pledged. Though I cannot recall the past, I can rectify it. It is probable that the death of Sir John Clavering will have removed the object for which my resignation was required. If however any person shall arrive in this settlement who shall have been appointed in form to succeed to the vacancy occasioned by my resignation, and not otherwise, will immediately yield up the government to the member of the Council who shall be the next in succession to it.

154. [1777, November 14.]—Downing Street. [Lord North to A. Wedderburn.] Desires to remove the suspicion that he is not sensible of his services to Government. Offers public mark of his esteem. (Draft.)

155. 1777, November 14.—Lincoln's Inn Fields. A. Wedderburn to Lord North. Acknowledges his kind letter, and makes an appointment for an interview.

156. 1777, November 16.—St. James's. Sir S. Porten to J. R. Concerning Captain Rush, who is said to be coming to England with letters from the rebels in France.

157. 1777, December 18.—Paris. The three American Commissioners to Samuel Adams. (Copy.)

158. 1777, December 19.—Same place. The same to the same. (Copy.)

159. Same date and same place.—A. Lee to the Secret Committee at Congress. (Copy.)

160. 1778, January 11.—Syon Hill. J. R. to Lord North. Concerning the Board of Revenue in Ireland, the transports for the army, and the policy to be adopted towards America. (Copy or draft. Four sheets.)

161. 1778, January 15.—Paris. The three American Commissioners to Captain Paul Jones of the "Amphitrite." (Copy.)

162. 1778, January 18.—Minutes of a Cabinet Council held at Lord North's in Downing Street. Lord Suffolk communicated a minute of Lord Amherst's opinion concerning the manner of carrying on the war. The Lords were of opinion that 400 men should be sent as soon as the season will permit, to Newfoundland, and a company not short of 50 men to the Bermudas, and that 2,500 men should be sent to Halifax out of the two new corps first raised, and an old battalion if it can be spared.

(A.) Minute of Lord Amherst's opinion that it is not possible to reduce the Colonies by an effective war, without an addition of 30,000 men to the force already in America, and that, under the circumstances, the future operations must be principally naval.

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163. 1778, January 19.—Queen's House. The King to Lord North. "Nothing can be more detrimental in case of an European war than the idea of sending in our present weak state another old corps out of Great Britain, but I will not object on this occasion, provided it is understood that the 400 men for Newfoundland and the company for Bermudas is of the new levies. The 70th is the regiment to whom this duty will fall, which is very advantageous to the Admiralty as the 70th Regiment is in Scotland, and Lord Sandwich thinks that he can get transports cheaper at Leith than in the Thames."

164. 1778, February 6.—Calcutta. Richard Barwell to J. R. Justifies his conduct. States the arguments for and against the acceptance of overtures made by certain Mahratta ministers at Poona.

165. 1778, February 14.—Paris. The three American Commissioners to the Secret Committee at Congress. (Copy.)

166. An account of the ships that are to sail under the convoy of M. La Motte Piquet on the 17th of February 1778.

167. Secret intelligence from France. On the 18th of February 1778, Captain Coulter started from Passy with despatches for America. Lord North's plan of reconciliation is said to be of such a nature that America could not refuse it. This has alarmed the French Court so much that it would grant any terms sooner than see America reunited with Great Britain.

168. 1778, February 19.—A. Wedderburn to Lord North. Concerning the naval command to be given to Mr. Johnstone.

169. 1778, February 22.—Calcutta. R. Barwell to J. R. Concerning the rupture between the Mahrattas at Poona, and the designs of France. (Two sheets.)

170. Duplicate of the above.

171. 1778, February 22.—The Earl of Clarendon to Lord North. Concerning the Ambassador at Paris. Lady Howe thinks it would be most agreeable to Lord Howe and the General to have leave to come home about the same time. The King's intended bounties to them would afford a most comfortable relief to their minds. The General might be scrupulous in accepting anything until he has justified his conduct. (Two sheets.) "Private."

172. 1778, February 24.—Minutes of a conversation with Lord Sandwich concerning the naval command [to be given to Mr. Johnstone].

173. 1778, March 1.—Mr. T. to Lord North.

174. 1778, March 2.—Poland Street. P. Wentworth to [J. R.]. Encloses—

(A.) Copy of letter from — Edwards, dated February 19, concerning the supply of intelligence from France.

175. 1778, March 11.—Duke Street, Westminster. The Earl of Suffolk to J. R. Nobody can be more ignorant than I am of every part of the business we are to have to-morrow.

176. 1778, March 18.—Parliament Street. J. R. to Lord North. The Chairman and Deputy of the East India Company are now with me, and, agreeably to your commands, I have opened to them the idea of their giving immediate orders for an attack on Chandénager and Pondicherry. They like the plan, and are ready to proceed therein if his Majesty shall approve. They can send letters by Leghorn, Alexandria, and Suez, duplicates by Constantinople and Aleppo, and triplicates by

their own packet-boat to Alexandria. They have presented a memorial to Lord Weymouth, desiring that they may have a naval force for their protection. The subsequent steps must be taken by the chairs and the Secret Committee, and they cannot commence hostilities without hearing his Majesty's pleasure. (Draft.) "Most private."

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177. 1778, March 31.—A. Wedderburn to William Eden. Concerning Mr. Johnstone.

178. Memorial presented to the States of Holland by B. Franklin and A. Lee, Plenipotentiaries for the United States of America. (Copy.)

179. 1778, April 2.—Chaillot. A. Lee to B. Franklin. Complains that he was not consulted about the mission of M. Girard and Mr. Deane to America. (Copy.)

180. 1778, April 14.—Treasury Chambers. J. R. to Mr. Rumbold. The Nabob has deposited his will in the King's hands. He intends to lodge a duplicate with you and your Council, and another copy with the Governor-General and Supreme Council of Bengal. You will see the absolute necessity of keeping this trust most sacredly. (Draft.) "Most private."

181. 1778, April 14.—[France.] Sir George Rodney to J. R. "Deprived as I am of the honour of serving my country, by Lord S[andwich]'s, refusing to employ me yet, 'tis impossible for me to be an idle spectator, and not from my heart do my best endeavours that the schemes of her enemys may be frustrated, and she again move triumphant over all her enemys. During my stay here I shall make it my business to learn the destination of their squadrons, that his M[ajesty]'s Min[isters] may be informed, which I shall send by every safe conveyance. An officer on the Irish establishment gives me an opportunity of sending the inclosed, which I must beg you will, with my sincerest respects, give to Lord N[orth]. The intelligence relative to the Americans may be depended upon as fact. Adams, their ambassador, lately arrived here, is the same as had the conference with Lord How. He cannot speak a word of French."

182. "Abstract of what passed relative to Lord B[ute] and Lord C[hatham], with copies of the only two notes Sir James W[right] ever wrote to L<sup>r</sup>. A[ddington] on the subject, and his answers." (Written apparently by Sir J. Wright. Endorsed by J. R. "Suppose to be genuine and therefore kept." See "Quarterly Review," vol. cxxxi, p. 266.)

183. 1778, May 2.—Fort William. Warren Hastings to Lord North. The Rajah of Birån has expressed his cheerful compliance with my application that he should allow our troops to march through his dominions. Concerning the affairs at Poona, and the intentions of the French. (Two sheets.) Encloses—

A. Copy of a letter from Modajee Bhoosla to [Warren Hastings], dated April 20, 1778. (Three sheets.)

184. 1778, May 5.—London. William Pulteney to Lord North. My friend will stay at Paris if I desire him to stay, but he gives me notice that he will betray no confidence of his friend there. What I said to-day in the House of Commons was not meant as any personal attack. I am agitated to the highest degree at the impending danger of this country from the criminal delay. If a great fleet was not ready to sail at an hour's notice, after all the sums allowed by Parliament, and the knowledge of the preparations of France and Spain, your Lordship

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and the First Lord of the Admiralty ought to answer it with your heads. If it was ready and orders for sailing were delayed an hour, the punishment ought not to be less. His Majesty's absence on the Monday is no excuse, much less the intended parade at Portsmouth. I hope to send important information concerning the Court of Denmark.

185. 1778, May 12.—Pall Mall. Lord George Germain to Lord [North]. Lord Holderness is dying. To succeed him as Warden of the Cinque Ports has long been the object of my wishes. If your Lordship thinks of asking that office for yourself, I can have no pretension to it. "I cannot expect to have health and activity much longer to discharge the duty of my present situation, and indeed I have found the attendance of the House of Commons this session too fatiguing and almost intolerable." If any new arrangement is made, I am ready to retire to the private station from which I was called, though it would be more satisfactory to me were I to receive some mark of his Majesty's favour.

186. 1778, June 14.—Treasury Chambers. J. R. to Mr. Rumbold. Sends a letter to the Nabob. Desires a speedy execution of the orders sent. (Draft.) "Private."

187. "Private instructions given to Mr. Smith on his journey to Paris, 16th July 1778." Questions to be answered by Dr. Bancroft. (Two sheets. Draft in Lord North's hand.)

188. 1778, July 19.—New York. William Eden to Lord North. "We are obliged at present to submit to the mortifying spectacle of the French fleet intercepting whatever comes towards us. . . . If Byron comes before they depart, it seems pretty clear they will never depart. . . . Rhode Island is reinforced with 2,000 troops, and a considerable number of the light infantry are aboard the fleet to complement it. There is great alacrity and good spirits both in the inhabitants and in the forces, but this suspense is trying. . . . It certainly would be unwise in Lord Howe at present to hazard an action, more especially as we grow stronger every hour. Our supply of fish is interrupted, and provisions are very dear. I tremble for the Cork fleet. . . . By different exertions we might contrive to live till the end of October." If our supplies fail I do not know what will become of us. These islands afford the only means of retaining an effectual hold on this whole country, and America is not lost so long as they are retained. At the same time I believe that they cannot be established with less than 12,000 men. (At the head of the letter is a rough plan showing the positions of the different batteries and of the English and French fleets near Long Island.)

189. 1778, July 20.—Same place. The same to the same. We continue blockaded, but are not dispirited. The manning of the fleet has been completed by the light infantry. A party is to march to-morrow to the east end of Long Island to secure the live stock and the flour. The "Leviathan" has been strongly armed and manned in five days. The General will go to-morrow to Kingsbridge. We believe that the French fleet is in great want of water. (On the third page is a rough plan showing the position of the different batteries, etc.)

190. 1778, August 16.—Fort William. Warren Hastings to Lord North. Describes in detail the events that occurred in India after the 2nd of May. (Seven sheets.)

191. 1778, August.—Maidenhead Bridge. Sir Edward Hughes to J. R. Encloses,—

(A.) Letter from George Stratton to Sir E. Hughes concerning a proposed interview.

192. 1778, September 4.—St. James's. Sir S. Porten to [J. R.]. Private intelligence concerning the movements of Car——l, and concerning the ship "Mary."

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193. 1771, September 6.—Same place. The same to the same. Concerning the "Mary."

194. 1778, September 17.—Same place. The same to the same. "The noted Beaumarchais is now in London. I could easily find him out, if it were thought expedient to do anything with him." "Private. Read by the King."

195. 1778, September 19.—Same place. The same to the same. Beaumarchais goes by the name of M. Laval. His avowed business is to treat with the noted Morande, and to prevent the publication of some work, but it is said that he has been in the City to deal in the stocks. I have set two men to watch him. His changing his name here seems a matter sufficient to detain him as a spy and impostor. The French Ministers are doing all they can to work up the Dutch, Danes, and Swedes, to maintain the honour of their flags. "Private."

196. 1778, September 22.—Same place. The same to Lord North. Encloses—

(A.) Copy of a letter in cipher from Lord Grantham to Viscount Weymouth, dated at St. Ildefonso, September 3, 1778. The establishment of packet boats between Falmouth and Santander (St. Andero) might be considered as settled. M. D'Aranda has no power to treat with the Americans, while they are considered by Great Britain as subjects of the Mother country.

197. 1778, October 4.—Head Quarters. General W. Keppel to [J. R.]. Concerning the establishment of packet boats between Chichester and Dover, to obtain intelligence from French fishing craft, and concerning various details of military organisation. Encloses—

(A.) Copy of a letter from Lord Barrington to General Keppel, dated September 27, 1778, concerning the salary of the subalterns.

198. 1778, October 10.—Sandwell. The Earl of Dartmouth to [J. R.]. Concerning the enclosure of common lands in the parish of Stockton co. Warwick, and concerning a prebend of Canterbury.

199. 1778, October 30.—Admiralty. The Earl of Sandwich to J. R. Lord North will lay before the next Cabinet a plan for the better attendance of members of Parliament. I can make good use of the materials with which you mean to furnish him. "Very private."

200. 1778, October 31.—Fort St. George. Thomas Rumbold to Lord North. Solicits some mark of distinction from the Crown, in reward for his services.

201. Same date and place.—The same to J. R. The Nabob could not conceal the joy he experienced from the receipt of your letters. He has been so extremely ill-used, cajoled, and plundered, by promises of assistance. He makes a show of poverty, pawns his jewels, and mortgages his lands at high interest, though his coffers are known to be full. Show him that his country is to be secured to him, at least for his life. The Tanjore country should nominally be given up to him. I am persuaded of his attachment to the English. To dread his power is ridiculous. (Three sheets.)

202. 1778, December 19.—The Earl of Suffolk to J. R. (On the back are various memoranda by J. R.)

203. 1779, January 1.—Downing Street. William Eden to Lord North. Lord Carlisle and I cannot make any claim to a continuance of

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the emoluments annexed to the American commission. As to the great object we have been quite unsuccessful. Yet our commission had its uses. We have been the means of transmitting above a million sterling of British property to this country and into mercantile circulation. By accepting that temporary situation, I quitted a profitable office in England.

204. 1779, January 31.—Syon Hill. J. R. to Lord North Governor Johnstone has just left me. He said that it was impossible for him to hold any office under an administration of which Lord Howe should make one. He blamed Lord Howe's conduct, and said that he did not think him fit to be head of the Admiralty. He believed that Lord Howe would not come in without his brother, and that their appointment to high office would be a declaration that the American independence would be acknowledged. He said he thought that Lord George Germain and Lord Sandwich must go out, and that your Lordship might make a considerable coalition. In that case, he would accept the Admiralty, or the office of Comptroller of the Navy, or even any small office. He said that he did nothing without the consent of Sir James Lowther, who, in that case, would accept some trifling office. He said that he could bring in Charles Fox, and that the Duke of Grafton and all his friends would come in with Lord Camden and the Grenvilles, and perhaps the Shelburnes also. He suggested the Duke of Grafton as head of the Admiralty, and Mr. Grenville as a Lord of the Treasury. He said "I believe you may get Charles Fox even with the Howes, but, holding my opinions it is impossible that I can act with them, for I am convinced that they have ruined their country. If you get Charles Fox it may do for a while, but otherwise you are at your last gasp." He stated clearly that Fox and he and their part of Opposition were separated from Lord Rockingham on the business of Independency. He said that the present calm was owing to him. He spoke rather warmly of Mr. Wedderburn's conduct to him as treacherous. We must have a storm on the promotion of Lord Howe, and it will be impossible to avoid the inquiries in which Lord Howe and Sir William must be parties against the King's Ministers. (Copy. Two sheets.) "Private."

205. 1779, February 1.—Portsmouth. Sir Edward Hughes to J. R. Desires to have the letters for the Nabob.

206. 1779, February 9.—Same place. The same to the same. The Nabob needs comfort. If supported in his own government, he will be a most useful ally to the Company and the English nation. (Two sheets.)

207. 1779, March 6.—Same place. The same to the same. The squadron is unmoored.

208. 1779, March 13. J. R. to the King. Desires to know whether he should hold free and unreserved communication with Mr. Jenkinson on everything relative to the King's affairs. (Draft.)

209. Same day. Queen's House. The King to J. R. "Mr. Robinson may very safely communicate any circumstances he may think necessary for my information, and that requires more explanation than can with ease be conveyed in a letter, or that he may not think worth immediate notice, through the channel of Mr. Jenkinson, who I am convinced will make no bad use of it. I cannot conceive what had depressed Lord North yesterday. This I did not collect from anything in particular that he said, but he was thoughtful and not elated as I expected at having dismissed a business he had taken so much as personal to himself, and certainly considering the strange dislike the country

gentlemen took to throwing out the bill, the majority was very good." (See the King's letter to Lord North in Mr. Donne's edition, No. 554.)

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210. 1779, March 22.—"Superb" off Cape Finisterre. Sir E. Hughes to J. R.

211. 1779, May 10.—"Superb" at Goree. The same to the same. "I arrived here on the 8th inst., with the squadron and convoy, quite prepared for the attack of this island agreeable to the orders I had, but to my great surprise found the French had evacuated it, after possessing themselves of Senegal. Lord Macleod has appointed Lieut. Col. Brooke, the Governor, with 400 men of the 75th." Particulars about the movements of the ships.

212. 1779, May 11.—Parliament Street. J. R. to Lord North. The business of yesterday about the almanacs ought not to rest a moment on your mind. It was one of the most motley divisions I ever saw. The House would, I believe, readily give the two Universities 500*l.* each, or more, towards printing books of literature which would not pay for themselves, but they did not like the business mixed up with the Stationers Company. Our friends said the job was too bad. The Lord Advocate did not wonder at the 60, but at the 40 who were with us. This, therefore, is no test of the sentiments of members towards the administration. Spirit, vigour, and resolution are needed. The Opposition are not liked by the House or the people. The business of Sir William Howe has, it is true, taken a disagreeable turn. Numbers of the best friends of your administration were irritated at the rashness of Lord George Germain, and the imprudence of Mr. Rigby. I must again urge the appointment of the Secretary of State. Lord Weymouth's coldness, inattention to business, and silence in the House, are attributed to a settled design to leave you. Nothing can do better than the appointment of Lord Hillsborough. You have your sovereign's approbation. At times I think that there is some hidden reason against it. (Draft. Three sheets.)

213. Copy of the above. (Two sheets.)

214. 1779, May 12.—J. R. to A. Wedderburn. Lord North acknowledges the engagement to you. If you go to the Common Pleas, or resign your office, he must equally quit his station. He will be glad to see you. (Draft.)

215. Another draft of the above.

216. 1779, May 14.—J. R. to Lord North. Desires to give political advice.

217. 1779, May 25.—Lord North to J. R. Lord Sandwich has such a mean opinion of all my intelligence and all my suggestions, that I would have you send him the enclosed intelligence as from yourself.

218. 1779, July 12.—C. Jenkinson to J. R. Recommends that a small pension be given to the Abbé Jeurinvilliers, as it is important to engage the writers of foreign gazettes. Encloses—

(A.) Letter from G. Cressener to C. Jenkinson, dated at Spa, July 4, 1779. The Abbé de Jeurinvilliers, ex-Jesuit, who writes the Cologne Gazette, has had a quarrel with the Chevalier d'Othée, who has the privilege of that Gazette from the Court of Vienna. A pension of 600*l.* res a year for his life will keep him in our service. Reports concerning the French fleet.

219. 1779, August 15.—Cape of Good Hope. Sir Edward Hughes R. Gives particulars about English and French ships.

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220. 1779, August 23. Paris. "The embarkation not to take effect at Havre, but at St. Malo and Brest. In the last mentioned port, besides infantry, 3,000 dragoons on board ships *armés en flûtes*: the descent in England to be effected in the latter season. The operation will begin by attacking Jersey and Guernsey. La Touche Treville with the flying squadron to cover this. He is to anchor in Cancale Bay, as more safe than the road of St. Malo. Lieut.-Gen. Conway has found notice that the attack will be on the 15th." (Copy of intelligence in the King's hand.)

221. 1779, September 13.—Stoneland Lodge. Lord George Germain to Lord North. (Printed from a draft among the manuscripts of Mrs. Stopford Sackville, in the 3rd Appendix to the 9th Report of the Historical Manuscripts Commission, p. 97.)

222. 1779, September 26.—Bushy Park. Lord North to J. R. I fear that I must have a Chancellor of the Exchequer in my arrangement, for I really cannot do the King's business. My heart is oppressed with a thousand griefs, and totally disables my head. "Private."

223. 1779, September 29.—Same place. The same to Lord George Germain. (Draft. Printed from the original in the 3rd Appendix to the 9th Report of the Historical MSS. Commission, p. 98.)

224. Copy of the above in J. R.'s hand.

225. 1779, September 29.—Lord North to J. R. The Dutch demand must be complied with, so we have nothing to do but to get the money as soon as possible. I doubt whether we shall persuade Sir G. Pocock to stand. Mr. Byng will not stand.

226. 1779, October 5.—Windsor Castle. The King to J. R. "I am glad to find Col. Tufnell stands for Middlesex. I hope no pains will be spared to secure the election. Sir Charles Thompson is every way qualified to represent Beverley, and will be a thorough friend."

227. 1779, October 6.—Kew. The same to the same. "The letter Lord North has wrote to the Lord Lieutenant of Ireland seems very proper. I am pleased to find Mr. Robinson hath effected a meeting between Lord North, the Chancellor, and Mr. Jenkinson, on the Irish affairs. The more those three can be united, the better for my service. Now Mr. Robinson knows Lord North's sentiments, I trust he will write to the Attorney General in Ireland, Mr. Beresford, in the same strain."

228. 1779, October 15.—Admiralty. The Earl of Sandwich to J. R. "I had a very serious conversation this morning with a great person, and afterwards Lord North came to me, and talked to me more confidentially than he ever did before. Things are now at the most critical moment, and I think that you should not be an instant from Lord North's side till something decisive is done. I know not how to go into particulars in a letter which possibly may be dropped between this house and Syon." I hope to see you to-morrow. "Very private."

229. 1779, October 16.—Same place. The same to the same. "Surely Lord North is not gone out of town without having seen Lord Stormont, and written to Lord Carlisle. I am convinced that all will go well if you can work him up to decide and to act. You have therefore more in your hands at this moment than perhaps any one in this country ever had before. You are the only person who can give good advice to the person upon whom the fate of this kingdom depends." I enclose a letter which ought to be held sacred in my hands, and which I show to no other man living. "Most private."



230. 1779, October 16.—Galloway House. The Earl of Galloway to Lord North. Solicits "an ostensible letter" in favour of the candidature of Mr. Johnston in the stewardry of Kircudbright.

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231. 1779, October 19.—Lord North to J. R. "I enclose to you my letters to Lord Stormont, Lord Carlisle, and one to his Majesty, in which you will see all the proposed arrangements, but what will take place I cannot tell, till I have seen or heard from the parties concerned. Lord W[eymouth] will not resign, but, I fear, he will not support. The King will try no other system, and we must embark and go through it as well as we can. I have no great expectation of success. The Lord Lieutenant's letter will show how ill things have gone in Ireland, and how little support was given to the Castle by those who are the most obliged to Government." I write a letter to Lord Gower, but I leave you to send it or no as you shall judge proper. Seal all the letters with my seal. Order a nomination to the prebend of Ely for the Rev<sup>d</sup> G. Downing, and to the living of Wisbeach for the Rev<sup>d</sup> J. R. Greenhill. Send Wentworth's intelligence to the King and Lord Sandwich.

232. 1779, October 31.—Cape of Good Hope. Sir Edward Hughes to J. R. Introduces Col. Du Prehn.

233. 1779, November 12.—Addiscombe Place. C. Jenkinson to J. R. "I have just heard all that has passed about negotiations. I am now persuaded there will be none. Lord North has behaved very handsomely, but is, I see, clearly for going on. I think the Chancellor is so too, but Lord North is to see him once more." "Most private."

234. 1779, December 12.—Avington. Sir Richard Worsley to Lord North. Notwithstanding the most favourable returns made by my agents, I find myself involved in an expense beyond the reach of my present fortune. Without the assistance of Government I shall not be able to carry on the poll above two days. My adversaries seem determined to protract it. They have retained five counsel. I have by me the sum of 6,000*l.*, which I am very ready to exhaust in the cause. (Enclosed in a memorandum concerning the notes for 2,000*l.* sent to the Duke of Chandos on the 14th.)

235. Same day and place.—The Duke of Chandos to the same. Our adversaries have a subscription purse against which it is impossible for any individual to fight. This is more than a common contest between two gentlemen; it is a violent attack upon Government. There can be no doubt of the event of the poll, if the ammunition does not fail. I have never used any influence as Lieutenant of the County [of Southampton], but shall ever be of opinion that I have a right as a freeborn Englishman to write to whom I please. "Most private."

236. 1779, December 13.—Queen's House. The King to [J. R.]. "It would be highly improper to neglect the wishes of our friends in Hampshire. You have my full consent to act as far as you may judge right."

237. 1779, December 18.—J. Macpherson to J. R. Concerning the accounts furnished by the Custom-houses, and concerning a seat in Parliament. "Private."

238. 1780, (dated 1779,) January 9.—Dublin.—to Lord [North]. All is safe here pending the bill in England for opening the trade of the Colonies to Ireland, but when it is once passed, every thing disagreeable, every thing dangerous may be apprehended here. A majority in Parliament might be got, but Government here does not know how to get it. I have seen all kinds of people, and discovered the sentiments of many

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His Excellency has talked to me upon public matters. I am to dine with him again on Tuesday *en famille*. He has not the smallest suspicion of my real errand to this kingdom. The principal things to be apprehended here are—(1.) A total or partial repeal of Poyning's Law; (2.) An attempt to bring an appeal before the House of Lords here; (3.) A bill for rendering the tenure of the office of the judges *quandis se bene gesserint*, as in England; (4.) A money bill for twelve months only, in order to secure annual meetings of Parliament, as in England, the Lord Lieutenant being now constantly resident; (5.) A land tax upon absentees; (6.) A separate mutiny bill for the regulation of the Irish army. "The idea of a union would be sufficient at this time to excite a rebellion, and yet till a union takes place, how vague, how loose, a connexion is that of Ireland with Great Britain." (Endorsed by J.R. "Private and secret letter.")

239. 1780, January 13.—Fort William. Warren Hastings to the Chairman of the Court of Directors of the East India Company. Recommends Capt<sup>n</sup>. Joseph Price.

240. 1780, January 28.—Syon Hill. J. R. to Lord North. Encloses, and comments on, letters from General Murray, Lord Hertford, and Col. Smith.

241. 1780, February 5.—London. James Macpherson to J. R. Concerning the affairs of the East India Company and Mr. Sullivan. "Private."

242. 1780, February 8.—Lord Thurlow to J. R. Congratulates him on his recovery.

243. 1780, February 8.—Madras. Sir Edward Hughes to J. R. The appearance of the King's squadron and troops has induced Hyder Ali to recall to his capital the troops he had sent to act offensively. The treasury at Calcutta has been exhausted in pursuit of wild schemes. Mr. Hastings has much knowledge, but his politics, since my leaving India, have been very strange. I have delivered to the Nabob the letters from the King and the Company. I found Sir Edward Vernon so debilitated in his nerves as to be totally incapable of service, and I allowed him to strike his flag. (Two sheets.)

244. 1780, February 11.—Same place. The same to the same. Sir Thomas Rumbold's health will not permit him to stay longer in this climate. I must tell you in confidence that the Nabob does not wish him to be succeeded by General Dick Smith, or General Stuart.

245. 1780, February 28.—Gerard Street. Sir William James to J. R. Announces the result of the ballot [of the East India Company], 466 for the question, 192 against it, and 4 bad votes.

246. Same day. East India House. Richard Holt to J. R. To the same effect.

247. 1780, March 13.—The Earl of Hillsborough to J. R. Reflects upon Lord North's "flimsy way of doing business."

248. 1780, March 28.—Lord Thurlow to J. R. Whoever can advise about Ireland and find the means to be listened to, might do his country good service. I enclose a letter from Mr. Baron Eyre. "He is too honest to be factious, therefore, though a very able man, he has been already slighted with impunity in the appointment of the last Chief Baron, and may be so again. But if there be room to take notice of his brother, you will make him feel that it is not time quite thrown away to do his duty, and serve his King with loyalty and zeal."

(A.) Letter from James Eyre, Baron of the Exchequer, to the Lord Chancellor, soliciting the Deanery of Salisbury for his brother. Dated at Maiden Eyre, March 26, 1780.

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249. 1780, April 5.—Madras. Sir Edward Hughes to J. R. Sir Thomas Rumbold parts with the Nabob in perfect good humour. This is a proof that his Highness is not upon bad terms with every Governor, as his enemies have pretended. His debt has been constantly increasing. His second son, Ameer ul Omrah, seems anxious to promote the interests of the Company. Our arrival has been very fortunate, for the Company's affairs were very precarious. Particulars about the movements of different ships. (Two sheets.)

250. 1780, April 7.—Admiralty. The Earl of Sandwich to J. R. It is absolutely necessary that the matter of the chairs should be settled without any further delay.

251. Same day and place. The same to the same. Concerning a proposed interview with Lord North.

252. 1780, April 10.—Queen's House. The King to J. R. "Whilst at Windsor during the holydays, I may (*sic*) it my business privately to sound the inhabitants of that Borough, and think it right to state the result of it to Mr. Robinson that he make further enquiry. The Corporation has ever been adverse to Government, and whilst Mr. Fox when Secretary at War represented that Borough, he was chosen by the inhabitants at large. Now the Corporation is desirous of having a candidate recommended by Administration, and the inhabitants will warmly espouse such a person. Lieut. Col. Conway is very ready to state to Mr. Robinson how matters now stand, and says that Admiral Keppel can be thrown without any difficulty, that the assiduity of Lord Beaulieu might make it more difficult to remove Mr. Montagu, through Lord Beaulieu certainly thinks Government would beat him. If any one can be authorized to canvas in M. G. Phillips's name, he would certainly be the properest and most acceptable candidate. I wish Mr. Robinson would examine this affair; indeed the subject of elections I know occupies his mind is at this hour of the utmost consequence, for it would be not to call a new Parliament as soon as we have hobbled through sent session."

3. 1780, April 13.—James Macpherson to J. R. Concerning the nomination of a "chair" of the East India Company. "Private."

4. 1780, April 20.—Admiralty. The Earl of Sandwich to J. R. Concerning Captain Phipps and Lord Mulgrave. Gives a report of the proceedings at a meeting of the petitioning gentlemen at Huntingdon, in speeches were made by Sir Robert Barnard, Lord Fitz-William, Duke of Manchester, and Lord Carysfort.

255. 1780, April 21.—Addiscombe Place. C. Jenkinson to J. R. The unpleasantness of the Chancellor's conversation is owing solely to his want of manners. He had a mind also to show his zeal in the Advocate's cause. I should not conclude from hence that he thought the favour such as should be conferred at present. I think it very likely, for the reasons you mention, that Lord North will enter into some treaty with the Rockinghams, and Fred. Montague will probably be the mediator. If Brummel makes himself an instrument to convey intimidation, he acts a very wicked part." "Most private."

256. 1780, April 23.—Admiralty. The Earl of Sandwich to J. R. Concerning the election at Rochester.

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257. 1780, April 28.—James Macpherson to J. R. Concerning the critical state of affairs at Madras, and concerning certain military promotions.

258. 1780, May 3.—House of Commons. J. R. to the King. Concerning the election at Windsor. Advises that the six houses standing in the name of Mr. Ramus, should be entered in the names of six different members of the royal household. (Draft.)

259. Same day. Queen's House. The King to J. R. "This day Lord North acquainted me with his wish of supporting Mr. Powny's inclination of representing the Borough of New Windsor. I shall in consequence get my tradesmen encouraged to appear for him. I shall order, in consequence of Mr. Robinson's hint, the houses I rent at Windsor to stand in the parish rate in different names of my servants, so that it will create six votes."

260. 1780, May 29.—Bushy Park. Lord North to J. R. Concerning a warrant for the extraordinaries of General Vaughan's army. Advises that the East India Company should not employ any of their servants who were concerned on either side in the late troubles at Madras. (Two sheets.)

261. 1780, June 18.—Queen's House. The King to [Lord North?]. The Rajah [of Tanjore] should have a civil answer. "I hoped by this time to have received a copy of the Speech, but as I understand it has undergone some amendments, I suppose I cannot have it till late in the evening, when I hope also to know whether two o'clock is not the best hour for my going to Parliament to-morrow, that will make my arrival at the House about half hour past two. I must know the hour this night, as it requires some time for sending in the morning the necessary orders for the usual attendants on that occasion."

262. [Lord North?] to the Rajah of Tanjore. Writes by order of the King to acknowledge the receipt of his letter. The King desires nothing more than that an amicable and equitable termination should be found to all controversies between the different princes in India. (Copy.)

263. 1780, June 23.—London. Henry Dundas to J. R. "I was with Lord Loughborough to-day, who showed me the grant of the survivancy of the Director of the Chancery in Scotland to Sir James Erskine solely, whereas he understood the favour was intended for both his nephews."

264. Same day and place.—The same to the same. "I most sincerely rejoice in every mark of honour and friendship which Lord North bestows on Lord Loughborough, because he is my friend, and his splendid talents entitle him to every attention. But I confess it was with difficulty that I refrained from expressing my astonishment when Lord Loughborough this day showed me the grant. I however did so, but nevertheless I did feel and do now feel most poignantly the contempt—I will not say disingenuity—with which Lord North has treated me last year and this. He has uniformly stated to me with apparent regret that the only reason why I did not get my office for life, as my predecessors used to get it, was a rule his Majesty had adopted of not giving offices for life, and to convince me of this he told me a long story about himself and the Cinque Ports. It seems however that mine is the only Scotch office—or rather I am the only Scotch person—to which this rule is to be applied. . . . I don't wonder this secret was kept from me with so much care." (Two sheets.)

265. 1780, June 24.—Lord Thurlow to J. R. In favour of the candidature of Mr. Pott for the office of Resident at Durbar.

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266. 1780, July 7.—J. R. to [C. Jenkinson?]. I was with Lord North until past one o'clock this morning. At first he said that he was so entangled by his promises that there was no way left but for him to go out, by which all his promises would fall and his Majesty might make up a stronger government. After a while he agreed to see Mr. Montague, and sat down to form some minutes for the interview, which he agreed to show to the Chancellor and to the King—four questions, and other minutes for conversation. (These minutes, as afterwards amended, are given by Mr. Donne, vol. ii. p. 328.) He is now gone to the Cabinet, and from thence he goes to Court. Mr. Montague is to be in Downing Street at 9 o'clock to-night. I desire nothing so much as his Majesty's approbation. Lord North spoke to me freely about Sir Richard Sutton, Mr. Eden, and Sir Grey Cooper. I told him that for the last three years Sir Grey's place and mine had amounted to above 5,000*l.* to each. He was so good as to say that I earned it all, and that if I went out he must and would go, for he would not do the business with anyone else.

Postscripts dated 8th and 9th of July. Lord North and Mr. Montague had a very long and open conversation. Mr. M. took with him the paper of questions to lay before the party, but he stated his own thoughts. He did not think that Lord Rockingham would insist on being at the head of the Treasury, but he did not know what the party would do. "The American war, he thought, was now put in such a way as it might be answered, and, he thought, got over. Mr. Keppell's appointment to the head of the Admiralty Board, he thought, was so great a point that it would be insisted upon, and perhaps break off the negotiations. Crew's, the Contractors', and Burke's bill, he seemed to think would not be great difficulties . . . . Upon the whole [he] was rather of opinion that the coalition would not take place, from the points of Keppell, and the Duke of Richmond." Remarks on the noble part acted by the Duke of Northumberland. (Draft. Five sheets.)

267. [1780, July 14?].—Lord Thurlow to J. R.

268. 1780, July 15. Addiscombe Place. C. Jenkinson to J. R. Lord Hardwicke had an audience of the King yesterday, to request that offices in Cambridgeshire should be given agreeably to his wishes, and that the Deanery of Ely, when vacant, should be given to a Cambridge man. "Private."

269. 1780, July 15.—The Earl of Sandwich to [J. R.]. Concerning Mr. Luttrell and Lord Orford.

270. 1780, July 15.—Lord Thurlow to J. R. Desires to see him on the subjects of Gloucestershire and Bombay.

271. 1780, July 16. Syon Hill. J. R. to the Hon. James Luttrell. (Copy.)

272. 1780, July 17.—Edinburgh. Henry Dundas to [J. R.]. Concerning the appointment to offices at the port of Leith.

273. 1780, July 19.—Hanover Square. The Earl of Hillsborough to J. R. Desires to see the box about the East Indies.

274. 1780, July 21.—Parliament Street. C. Jenkinson to J. R. "I was brought to Town to-day, contrary to my intention, by that plaguing fellow, the Duke of Richmond. If there were two Dukes of Richmonds in this country, I would not live in it, I have seen the King, who has

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heard nothing more of the negotiation. There is something mysterious in all this, and if Lord North has really heard nothing, I am persuaded that the opposition are disagreeing on the answer they shall return. *Poc. Chamier* is said to be dying. Lord Hillsborough thinks of *Sidgwick* as his successor. The King is averse to this, and ordered me to speak to you to promote the cause of Adam."

275. 1780, July 21. Admiralty. The Earl of Sandwich to J. R.

276. 1780, July 24.—Lord Loughborough to Lord North. "You have perhaps been lately told that the office [of Lord Chief Justice] I hold is worth 4,000*l.* per annum . . . . I state the income only of the certain sum, viz. 2,786*l.*, and consider the rest as *patronage*, which may be advantageous to a family, though too uncertain to be taken into an account of income . . . . I cannot assure your Lordship that my gratitude will be increased by an increase of salary, for I feel as much as can be felt for the favours his Majesty has bestowed upon me. I cannot even profess that I shall be more attached to your administration, or more zealous for its support, nor can I pretend that it is impossible to live without an addition, for I confess the income is sufficient for a moderate man."

277. 1780, July 22.—Addiscombe Place. C. Jenkinson to J. R. "I hard words will enable me to get rid of the Duke of Richmond I will lose no proper opportunity of using them . . . . As Lord North has heard nothing from Mr. Mountague, I am clear there is some dissent among the members of opposition. The King's civil words with respect to some of them, added to distress, have had their proper effect. I wish that Lord North knew how to use this instrument better than he does. One of his great errors is that he thinks that interest alone without any seasoning is the only motive on which men act . . . . The thing that puzzles me most, is that we hear of no meetings among them. If there has been any, it has probably been at Lord Rockingham's at Wimbledon . . . . Lord North is at heart against the success of the negotiation. He told the King on Wednesday that the expectations of opposition were unreasonably high, and ought not to be complied with. The King answered, he was glad to find that Lord North now agreed with him in opinion on that point . . . . I have been thinking this morning on a subject that would make a very fine pamphlet. The opposition have been for this 15 years stirring up the people against Government, calling the administration violent, when its error in fact was weakness, adopting principles which produced a rebellion in one country, and were near producing one in another, though the evil burst at last on their own heads, when some of them manifested a degree of fear for their own persons and property, and of violence and warmth for the protection of them, beyond what had ever been shewn by administration."

278. 1780, July 29.—J. R. to James Luttrell. Lord Sandwich offers him the post of First Lieutenant on the "*Belliqueux*." (Draft)

279. 1780, August 1.—Blackheath. The Earl of Sandwich to J. R. I have had much conversation with Mr. Rigby. "He was very liberal in his disapprobation of many parts of Lord Chancellor's conduct, particularly his absurd jealousy of, and behaviour to, Lord Loughborough, and he ridiculed the weak conduct, and the situation into which Lord Gower and Lord Weymouth had brought themselves. He is most exceedingly eager and anxious about the speedy, or rather immediate, dissolution of Parliament . . . . I think all your reasons for delay are weak . . . . Our opponents are depressed; the nation is set against

riots and rioters of all kinds; events have been favourable beyond conception. Will you wait to give our enemies time to rally and reunite, and for some blow in our military operations to turn the tide of popularity against us?"

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280. 1780, August 3.—Addiscombe Place. C. Jenkinson to [J. R.]

281. 1780, August 12.—Same place. The same to the same. Concerning the candidates for the county of Kent, and the borough of Wallingford.

282. 1780, August 12.—Bath. Lord Thurlow to J. R.

283. 1780, August. The same to Lord North. Concerning the claims of Mr. Greaves and Mr. Macdonald.

284. 1780, August (or September) 13.—Lord North to J. R. I cannot tell what to write to Lord Clarendon about the University of Cambridge. "I do not like to put the King to the expense of 3,000*l.*, to bring in so uncertain a supporter as Lord Hyde, and yet I suppose that you would have me engage to bring him in if he should fail at Cambridge."

285. 1780, August 13.—Bushy Park. The same to the same. "I have made it a rule this summer to allow myself no pleasure, nor dissipation, nor vacation whatever. . . . Provided the Parliament is to be dissolved (which it must now be, although the manner in which it will affect the militia seems to render it much more eligible to dissolve it in winter), it is and always has been indifferent to me when the dissolution shall [take] place. I only wanted to know from you the state of our affairs and your opinion of the proper moment. . . . Lord Chancellor, to whom I gave last year constantly all my India papers and propositions, has constantly returned them to me at a great distance of time, without any opinion or assistance at all. He has never mentioned to me the least anxiety upon that business this year, but has chosen to begin with it in the Closet for obvious reasons. In short, I see every day more and more the very disgraceful footing on which I am likely to continue while [I] remain in office, which, God knows, I have other causes enough to wish to quit. I shall never do anything with the Duke of Newcastle by conversation or letter, but I will either write to him or call upon him to-morrow. He must certainly not see the Duke of Northumberland's letter. If Mr. Fox stands, we shall have much trouble and more expense, which will all fall upon us. Neither Lincoln nor Rodney will contribute." "Private."

286. 1780, August 14.—Syon Hill. J. R. to Lord North. I do not think it at all necessary that you should deprive yourself of all relaxation. On the contrary, I would recommend that you should have it publicly given out that you were gone into Kent for three weeks or a month. Parliament should be prorogued until the 31st of October or the 2nd of November. In the former case the Council should be held on the 31st of August or the 1st of September, and the proclamation and writs issued on the 1st or 2nd of September. You might stay in Kent until the 28th of August, and return to Bushy on that day, unknown and unexpectedly, for while you and the ministers are still in and about town, a momentary dissolution is expected. Before your going to Kent I trust to receive all your orders now necessary. The Duke of Newcastle has written to Lord Lincoln to prevail on him to stand for Westminster, but you are right that it must be all at your expence. In that case it may be well to fight for both seats. I will tell Sir Patrick Crauford that if he can secure the second seat at Arundel

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undoubtedly, a friend is ready to give 3,000*l.*, but that I doubt that he will find that they must give Lord Surrey one member. (For sheets.) "Most private."

287. 1780, August 16.—Bath. Lord Thurlow to J. R. I want the lists of those who voted for and against the great questions of the session. "So many people apply to me, whom I have never heard of before, and make no apology for it, but that they are Members of Parliament, that it seems convenient for me to be a little better acquainted with them, and it is impossible to resort to one who can guide me more unerringly. In short if you would send me your list of both Houses I should certainly know more of the political characters of each House than I have any other chance of doing." Applications for the living of St. Mary le Strand.

288. 1780, August 19.—Same place. The same to the same. Concerning various persons and matters.

289. 1780, August 19.—Addiscombe Place. C. Jenkinson to J. R. "If it is wished to make Lord Edgcombe a Viscount, a certain person will have no objection. Is it not possible to secure a member for each of the counties of Kent and Hants? It is a pity to lose two county members." "Private."

290. 1780, August 21.—Windsor Castle. The King to J. R. "As the dissolution is now fixed for Wednesday, August 30th, I think it right to transmit the money to you which compleats up to this month the 1,000*l.* per month I have laid by. The other payments were made to Lord North himself. I have wrote him word that I have sent it to you. I trust notice will be sent to the Chancellor for his appearance on that day at St. James's, that no delay may issue in issuing the new writs. The amount of the notes is 14,000*l.*" (Endorsed—"His Majesty with notes to J. R.")

291. 1780, August 22.—Syon Hill. J. R. to the King. Acknowledges the receipt of 14,000*l.* The account of the distribution of the private fund will be transmitted to the King. He had a conversation of some hours with the Lord Chancellor the day before he left town for Bath, and it was then settled that he would come up to the Council for dissolving the Parliament. (Draft.)

292. 1780, August 24.—Addiscombe Place. C. Jenkinson to J. R. "I have consulted with my brother, and we can think of no man so proper for Bath as General Amherst, and I wish it the more, as it will contribute to strengthen the army interest in the House of Commons, where it is certainly very weak. The General will, I am persuaded, resist this idea himself, but I think it probable that Lord Amherst will be for it. . . . I continue to think that the King, or Lord North in the King's name, should see the Duke of Newcastle. This, together with an explanation that the Dutchess of Bedford cannot alone command the Bedford interest, and that Palmer is with us, is alone sufficient to influence his Grace, and to induce him to let Lord Lincoln stand." Mr. Mansfield will certainly be chosen for Cambridge.

293. 1780, August 26.—Same place. The same to the same. "Lord Amherst's letter to the general officers commanding at camps will disclose the whole busyness of the dissolution. I submit, therefore, whether it should be sent so soon as Monday . . . I have a letter from Lady Waldgrave, begging that Mr. Burke may have a copy of the letter given him for the Rajah of Tanjore. If there was no great objection to this I could wish to oblige this Lady."



294. 1780, August 27.—Bath. Lord Thurlow to J. R. "Your commands come at a time when I am little able to obey them. But I will do my best, and if I cannot get to London early enough to be at the Council, I will at least be there time enough to seal the Proclamation and write, which I think, should both be got ready . . . I grudge the labour of such a journey after the fit of illness I have had since I wrote to you last. . . . If you have been attentive to Bridgewater and Taunton you can have them both. If not, they are sadly lost."

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295. 1780, August 28.—Same place. The same to the same. Desires to see precedents of the forms for dissolving an old Parliament and convening a new one. Prospects of success at Bath, Bridgewater, and Taunton.

296. 1780, September 2.—The same to the same. "Your new Solicitor General [J. Mansfield] who was sworn in to-night, begins to complain that less solicitation is used, and less command exercised, than his business requires. I heard him, and have left him to find out and observe the many odd turns which will spring up in the scene he is stepping into; and, which is worse than all turns, the impracticable restifness; and, still worse, the stout and all conquering supineness. . . . I have heard a bird in the air sing, with the air at least and confidence of truth, that another peerage, and that also a law peerage, is driving fast before the wind; of which, *causâ quâ supra*, the secret is to be disclosed to me, when the Privy Seal shall announce it. I certainly have little ambition to meddle with the management of such concerns. But I wish that such as affect to express their surprise at my not embarking in more publick business, would reflect a little on the number and nature of my opportunities; when arrangements, which draw to great consequence, and such as principally affect me, are made with such total want of all concert, that if I were ever to talk on publick affairs, my ignorance would be ridiculous, even in those nearest me, under my nose, and wherein, if in any, information might be expected from me; because it has never, as I believe, happened before that any person in my situation has been left to collect the knowledge of such arrangements from a Privy Seal warrant."

297. 1780, September 2.—Addiscombe Place. C. Jenkinson to J. R. "I sincerely believe that Lord North has a great and real regard for you, but I agree with you that he does not treat you as he ought, that he rewards others who do in no respect serve him, and whom he suffers to enjoy great incomes without doing anything, that he makes you in fact do the whole of his business, and at the same time never thinks of rewarding you." His nature is "more influenced by importunity than by service." I would advise you to have a full explanation, however disagreeable. "You have the comfort to know that you have the favour of your Sovereign. I am sure that you have the good opinion of the rest of mankind, even of those who are the enemies of Administration. You have nothing to remove but the languor of the mind of that person who profits most by your services. . . . The idea of your quitting the King's service can never take place. No one, I am sure, will suffer it. The Government could not go on without you. . . . I have told my office to use all the influence they can in favour of Lord Lincoln, and Sir G. Rodney." (Two sheets.) "Most private."

298. 1780, September 3.—Same place. The same to the same. "The explanation you mean to have will set every thing right. . . . I hope you have found a proper candidate for Bridgewater. If you can get no other candidate for Hants, Sir Richard Worsley would do very

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well. Should not Lady Rodney advertise in her husband's name? Has there been any answer yet from Mr. F. Mountague?" "Mr. private."

299. 1780, September 5.—Hartlebury. The Bishop of Worcester to his brother, Lord North. Concerning the proposed candidature of Mr. Poulter for the City of Worcester.

300. 1780, September 6.—Syon Hill. J. R. to the King. Concerning Mr. Cholwich and Sir John Duntze. (Draft.)

301. 1780, September 7.—Wroxton. Lord North to J. R. "I am sorry for Mr. Brudenell's peerage, which will make him and ridiculous, and is the cause of Lord Talbot's, and will be the cause of Mr. Thynne's. Particulars concerning the election for the University of Cambridge. Mr. Langlois's dissatisfaction at his appointment is most unreasonable. Instructions concerning the elections for Worcester, Newport, and Lyme. "By Eden's letter I perceive that he is extremely angry, but you see that the King is as angry on the other side. What am I to do?" Observations on various elections. (Three sheets.)

302. 1780, September 8.—Harrogate. Lord Loughborough to J. R. Commodore Johnstone is extremely "picqued" at Sir James Lowther's leaving him out in his first arrangement. Before that impression wears off he would no doubt much rather accept a seat from you than from Sir James. "It would be idle to enlarge upon the advantage of bringing in so powerfull and active a friend, who you know does nothing feebly, and would be most warmly attached to Lord North if he felt an obligation to him."

303. 1780, September 9.—Bath. Lord Thurlow to J. R. "I perceive the last letter I wrote you was answered by Lord North (from Syon Hill to prevent mistakes) although, considering what I said in it, I rather wondered it was shown him. We, who are at a distance from that sacred circle, in which the measures of government are formed, must needs see them in another view, and conceive of them more imperfectly than those to whom the whole design is revealed. It is therefore no wonder that we are at a loss to imagine why that which was thought right was not done when it was decided. . . . These things however are too much above me to be fit objects of my solicitude; and you are engaged in business too much above my small sollicitudes to attend to them."

304. 1780, September 10.—Winchester. C. Jenkinson to J. R. Anyone may be chosen for Hants that Government pleases, without trouble or expense. Encloses—

(A.) Letter from John Cator to the Right Hon. C. Jenkinson, dated September 8, 1780. He has risked his seat in order to get a friend in, and he desires to be assisted to another at a moderate expense.

305. 1780, September 11.—Wroxton. Lord North to J. R. "Our elections seem to go on but ill. Unless you can remedy it, I am afraid Westminster will be lost. Hutton and Calvert both gone, and Bonfield defeated. We are in a bad sort of a way, unless we have some good events to set against these misfortunes."

306. 1780, September 13.—The Earl of Dartmouth to Lord North. Concerning Lord Lewisham. "It is employment I solicit for him, and not mere emolument. I beg he may not be thought of for a place of mere idle attendance at Court. Such a situation will neither suit his inclinations nor my wishes for him."

307. 1780, September 13.—Syon Hill. J. R. to the King. Sends a return of all the members elected, with details about the election for

the counties of Essex and Hants. "Although the poll for Westminster does not look favourable, there is strength enough left to give success to the business if attended to. . . In the City of London it is thought Sawbridge will be thrown out, and the person we push against him is Mr. Alderman Newnham." (Draft.)

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308. 1780, September 14.—Addiscombe Place. C. Jenkinson to J. R. Suggests that the Government should assist Newnham, as the less violent of the two candidates.

309. 1780, September [17?].—Lord Thurlow to J. R. "Is Lord Powis a friend?"

310. 1780, September 19.—The Earl of Hillsborough to J. R. "Lord Salisbury died this morning, which vacates Cranborne's seat. . . I enclose to you a character of Foster, drawn by a very able hand, one who is thoroughly acquainted with men and things in Ireland. You may shew it if you please to Lord North."

(A.) A long estimate of the character of Mr. Foster, and of his capacity "as a minister and as a financier." It reckons him wanting in sagacity and political courage, and inadequate to the management of a party. On the other hand it describes him as a great master of business, intimately connected with the aristocracy, and affable.

311. 1780, September 21.—Addiscombe Place. C. Jenkinson to J. R. "Private."

312. 1780, September 23.—Parliament Street. J. R. to the King. Sends a return of all the members elected, and various letters. (Draft.)

313. 1780, September 23.—J. R. to the Earl of Hillsborough. Encloses for the King's approval a list of the proposed new peerages.

314. 1780, September 24. Addiscombe Place.—C. Jenkinson to J. R. "The answer you have returned to Lord Hillsborough is certainly a very proper one. I don't think it of much importance when the Government of Ireland changes. The present is a bad one. I don't think that which is to succeed is likely to be much better. Neither the Principal nor the Secretary are made of stuff to govern that country, and they will be driving perpetual jobs in this."

315. 1780, September 29.—St. James's. The Earl of Hillsborough to J. R. Concerning various appointments in Ireland.

316. 1780, September 30.—London. J. Price (?) to Lord North. Explains his project for the seizure of the Isthmus of Darien.

317. 1780, October 23.—St. James's. Sir S. Porten to J. R. "There will probably be soon an opportunity to risk a letter to Gibraltar by a sloop which the Admiralty will attempt to send thither." Lord Hillsborough desires to be able to send information to General Eliott concerning the provisions necessary for the garrison.

318. 1780, October 24.—Syon Hill. J. R. to the King. Sends a book of the new Parliament, canvassed in the best manner according to their sentiments. (Draft.)

319. 1780, October 28.—St. James's. Sir S. Porten to J. R. Concerning the insurrection in Spanish America.

320. 1780, October 30.—Parliament Street. C. Jenkinson to J. R. Encloses—

(A.) Copy of a letter from the Earl of Bute to C. Jenkinson, dated London, October 28, 1780. Concerning his sons James and Charles [Stuart].

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321. 1780, November 3.—Melville. Henry Dundas to J. R. Your letter is written in so urgent a stile as to make me regret a refusal. "But the same reasons both of a publick and private nature still remain to keep me to my resolution. I cannot conceive how my absence could be any disappointment either to you or to Lord North. By a letter from Mr. Brummell more than six weeks ago, it was intimated to me that I was to hear from Lord North immediately upon many points both personal and publick. Although my curiosity was excited by that intimation, I was not very much disappointed when I did not receive it." Until the receipt of the circular letter eight days before the meeting of Parliament, I remained in the belief that Parliament was not to meet until the end of November. "From looking now and then to the newspapers relative to the transactions of Parliament betwixt [this] and Christmas, I may be able perhaps to collect some hints what is the system of government relative to the present very critical state of the interests of Great Britain, foreign and domestick. If there is no system formed, but the friends of Government collected merely to oppose one faction, and to support another, the object is indeed contemptible, and the prospect a most unpleasant one."

Postscript.—"Private." "Lord North's illness must indeed make the meeting of Parliament a very awkward one. You regret I have no share. I feel no such regret. . . . What brought about the change of resolution of Mr. Montagu being Speaker? It is a general complaint that the dignity of Parliament has been much let down. I suppose both sides of the House would concur in that idea." Mr. Montagu is a man of candour and integrity, and a personal friend of the Minister. "In his person both sides would concur in maintaining the decency, dignity, and order of the House." (Two sheets.)

322. 1780, November 5.—Pall Mall. Lord George Germain to [J. R.]. Concerning the order of business in the House of Commons.

323. 1780, November 7th.—The Hon. Col. Charles Stuart to J. R. Solicits a seat in Parliament for his brother James.

324. 1780, November 11.—The Earl of Hillsborough to J. R. Concerning Lord Conyngham's application for an earldom.

325. 1780, November 12.—Henry Dundas to [J. R.]. Concerning the death of Mr. Cardonnel, Commissioner of Customs.

326. 1780, November.—Narrative by C. Jenkinson of the negotiations between the Government and the Earl of Bute concerning the seats to be found for his sons, James and Charles, Stuart.

A few days after the dissolution of Parliament, Lord Bute desired Mr. Jenkinson to carry a message to Lord North that he was so advanced in life that he did not wish to be elected again one of the sixteen peers of Scotland, but that he wished to obtain a seat in the House of Commons for his son Colonel Charles Stuart, through Lord North's favour. For private reasons he must bring in his son Colonel James Stuart for Bossiney. Lord North answered that every thing was settled with respect to the elections, but that as several people would be returned for two places, Colonel Charles Stuart should be brought in for one of these vacancies. He suggested that Colonel Charles Stuart should be brought in for Bossiney by Lord Bute, as James was not in England, and members might be wanted at the opening of the session. Mr. Jenkinson explained that Colonel James's circumstances were such that it was absolutely necessary that he should be in Parliament. Lord North agreed to the sum which Lord Bute had offered to pay. Mr. Jenkinson repeated Lord North's answer to the King, who approved of

it. He also repeated it to Mr. Robinson. On the 3rd of September Lord Bute wrote to Lord North, agreeing to bring in his son Charles for Bossiney, and leaving the elder brother to Lord North's promise. On the 28th of October he wrote to Mr. Jenkinson, asking him to urge Lord North to find the promised seat as Colonel James Stuart could not come home without one, and the trouble of substituting him for his brother at Bossiney would be no trifle.

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327. 1780, November 17.—Parliament Street. C. Jenkinson to J. R. Concerning the same.

328. 1780, November 18.—J. R. to Sir S. Porten. Concerning provisions for Gibraltar. (Draft.) "Secret."

329. 1780, November 18.—Parliament Street. C. Jenkinson to [J. R.]. Concerning Col. James Stuart.

330. 1780, November 30.—Henry Dundas to J. R. Concerning Mr. Stodart. "I resolved to be silent, both because he would be warmly recommended by the Duke of Buccleuch, with whom I do not chuse to interfere, and because impartially speaking upon the subject, it is my opinion that it was for the interest of the Government not only to oblige the Duke in the matter, but to do it in this instance in the person of Mr. Stodart, thereby marking in the strongest manner possible your disapprobation of the unprincipled defections which took place in the course of last session of Parliament. . . . The town of Edinburgh is, I thank God, almost the only place in Scotland where you had an opportunity of marking your disapprobation." (Two sheets.)

331. 1780, December 6.—War Office. C. Jenkinson to J. R. Lord North should write to the Duke of Beaufort, in order to prevent "a flaming patriot" from being elected in Gloucestershire. Hears that the last report of the Commissioners of Accounts is able, but at the same time very hostile to the Treasury.

332. 1780, December 11.—St. James's. Sir S. Porten to J. R. "Private." Encloses—

(A.) Extract from a letter from General Eliott to the Earl of Hillsborough, dated Gibraltar, October 22, 1780.—On the 11th our men of war's boats brought in a Danish dogger laden with lemons, oranges, raisins, and figs. We have numbers ill of the scurvy, and many die. Our bread is "esteemed" to last to June 12, beef to February 7, pork to July 24, pease, etc. to April 8, butter, with oil and raisins, to March 8. We are in the greatest distress for fuel, clothing for the 72nd and 73rd Regiments, strong liquors, and potatoes.

333. 1780, December 14.—Treasury Chambers. J. R. to Sir S. Porten. Concerning "the assistance requested from the Victualling Office for supplying a part of the provisions for the secret and separate service." (Copy.) "Secret."

334. Same day.—Parliament Street. The same to the same. Concerning the same. (Draft.) "Private."

335. Same day.—St. James's. Sir S. Porten to J. R. Concerning the same. "Private."

336. 1780, December 19.—"A letter of importance has been safely delivered with the seals unbroken, but not quite so soon as was, perhaps, expected, from accidents not material enough to mention." (Endorsed by J. R.—"Secret. Lord North's note to Mr. Neckar. Copied in a feigned Italian hand, and sent the same night to Mr. Todd at the Post Office, directed A. Monsieur, Monsieur Neckar, a Paris—with a most

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secret letter to Mr. Todd, entrusting it to his care, and to be forwarded this night by the mail to Ostend, unperceived and unobserved by any one." See the King's letter to Lord North, No. 655 in Mr. Donne's edition.

337. 1780, December 26.—Henry Dundas to [J. R.]. Encloses—

(A.) Letter from Sir Adam Fergusson to the Lord Advocate, dated Kilkerran, December 24, 1780. He recommends Robert Kennedy, of Pinmore, for the office of Surveyor of Customs at Ayr.

338. 1781, January 3.—Admiralty Office. P. Stephens to J. R. Concerning the provisions for Gibraltar. "Secret."

339. 1781, January 12.—Sir S. Porten to J. R. Desires that Mr. John Snoxell's papers may not be examined at Margate or Dover, on his return from Ostend with papers of great consequence concerning America. "Private."

340. 1781, January 15.—Lord North to J. R. Concerning secret intelligence, and other matters.

341. 1781, January 15.—Bombay. Sir E. Hughes to J. R. Concerning the movements of the English ships, and the general state of affairs in India. (Two sheets.)

342. 1781, January 20.—Addiscombe Place. C. Jenkinson to [J. R.]. "There is something important in agitation. What is it?"

343. 1781, January 23.—Treasury Chambers. J. R. to P. Stephens. Concerning the provisions from Gibraltar. (Draft.) "Private."

344. 1781, January 29.—Edinburgh. Henry Dundas to J. R. Concerning the salt officer at Dysart.

345. 1781, January 15.—Northumberland House. The Duke of Northumberland to [J. R.]. Desires to know whether Lord Macartney has accepted the Chiltern Hundreds.

346. 1781, February 5.—Same place. The same to the same. Concerning the writ for Beeralston.

347. 1781, February 13.—Lord Thurlow to J. R. Concerning East Indian affairs. "To people at a distance things appear to have been going on from bad to worse, and there is no prospect of amendment if the consideration of them is taken up by those who can only speculate upon the matter, instead of those who can act in it."

348. 1781, February 15.—Pay Office. Richard Rigby to J. R. "Have you two hundred and twenty good men ready to take the field to-day? Or are we (which will be the wisest course to take, if you cannot answer my question in the affirmative) to give way as far as to let the Bill [for the reduction of the Civil List] to be brought in?"

349. 1781, February 17.—Addiscombe Place. C. Jenkinson to [J. R.]. Concerning the state of the House of Commons.

350. 1781, March 6.—Queen's House. The King to J. R. "Mr. Robinson shewed his usual propriety in transmitting to me last night the list of the speakers in the debate, as well as the division. I take this opportunity of sending 6,000*l.* to him, to be placed to the same account as that sent on the 21st of August. I have given notice of it to Lord North."

351. 1781, March 6.—Parliament Street. J. R. to the King. Acknowledges the receipt of 6,000*l.* (Copy.)

352. 1781, March 19.—St. James's. Sir S. Porten to J. R. The warrants for the appointment of the nine gentlemen as Baronets of Great Britain have been sent to the King for signature.

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353. 1781, March 19.—Queen Square. Lawrence Sullivan to J. R. Concerning the appointment of writers in India.

354. 1781, March 23.—Saville Row. Henry Dundas to [J. R.]. Concerning appointments at the port of Leith.

355. 1781, March 23.—The Earl of Hillsborough to J. R. Concerning Jebb's pamphlet, and Heron's pension.

356. 1781, March 24.—Addiscombe Place. C. Jenkinson to J. R. "I am glad to hear that Lord Hillsborough disapproves of the raising the six new regiments as I do. I apprized Lord Amherst of my dissent a month ago at least, and Lord North a fortnight. Besides other objections, I knew they were jobs as you now state." I will quit my office rather than have anything to do with them.

357. 1781, March 29.—London. The same to the same. I had a long conversation with the King yesterday, when he was as usual very gracious. Lord Hillsborough was very accommodating, and, after a long conference this morning, we settled all that should be done in order to bring this affair to an amicable conclusion. He sent to Lord North to obtain his concurrence, but no answer has come. I conclude that Lord North is determined that I shall go out, which I now imagine will be the issue of this business. "Private." (See the King's letter to Lord North, No. 673, in Mr. Donne's edition.)

358. 1781, April 9.—Parliament Street. The same to the same. "Lord North opened the E[ast] I[ndia] busyness to day in the House of Commons very well. Mr. Burke was absurd, and made a long speech that was not much to the purpose, but very mischievous. Sir G. Cooper was taking every advantage that he could to find fault with the measure, and to create every possible obstruction."

359. 1781, April 13.—Bushy Park. Lord North to J. R. "I understand Mr. John Craigie is very fit for his office, and that the resignation of Mr. John Drummond is complete . . . I suppose we must comply with the requests of Lord S[heffield] and Mr. D[aubeny]. The expenses of both were incurred without my privity, or any promise on my part . . . I suppose the following sums will do. L<sup>d</sup> S[heffield] 2,000*l.*, Mr. D[aubeny] 1,500*l.*, being 500*l.* more than he asked for at first . . . but perhaps Mr. D. will not be satisfied, and it will be necessary to give him more. Try to do this business as cheaply as possible. You will find it difficult enough to raise even the lowest sum. Mr. Powney [at Windsor] stipulated at first only for 1,000*l.* He has, I believe, had 1,500*l.* or 2,000*l.* What does he want now? . . . The demands on this occasion are exorbitant beyond the example of any former time."

360. 1781, April 14.—Bushy Park. The same to the same. I have sent Mr. Craigie's commission to the King. Mr. Hamilton is so sensible and so agreeable a man that I should be much pleased with his friendship. In Parliament he is a vote, and he might be much more if he would.

361. 1781, April 14.—Addiscombe Place. C. Jenkinson to J. R. Concerning the debt of the East India Company.

362. 1781, April 22.—Bushy Park. Lord North to J. R. "Mr. Johnes wants to have his seat vacated on Tuesday, in order to be elected at the first County Court . . . The Bishop of Winchester is dying.

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I shall solicit for the Bishop of Worcester, who, I believe, will be succeeded by the Bishop of Lichfield and Coventry. Does Dr. Graham expect to be the next Bishop? Will he be satisfied with a *less* Bishoprick than Lichfield? In the latter case, we may be able to oblige one person more than we should otherwise, though, under my present circumstances, it is inconvenient to me to recommend any Bishop who has nothing to quit.

363. 1781, April 27.—Henry Dundas to [J. R.]. Encloses—

(A.) Letter from Lord Maitland to the Lord Advocate [Dundas], soliciting appointment as one of the secret committee to enquire into the cause of the losses in the Carnatic.

364. 1781, June 24.—Addiscombe Place. C. Jenkinson to J. R. Concerning the affairs of the East India Company. "The whole is a game of interest. The proprietors will bid above the Directors, and the Directors above the proprietors, and will not support Government in any one point, and between the two the publick interest will be abandoned and neglected."

365. 1781, July 5.—Lord Thurlow to J. R. Concerning an error in the East India bill.

366. 1781, July 8.—Henry Dundas to J. R. Hopes that Lord North will not give himself a moment's difficulty in order to make a vacancy for him at the Treasury.

367. 1781, July 10.—The same to the same. Wishes that Lord North will think no more of any arrangement for placing him at the Board of Treasury. It would neither augment his fortune nor gratify his ambition. The public would think that he meant to make a sinecure either of the office of King's Advocate, or of that of Commissioner of the Treasury. While he remains in Parliament, he will give a steady and cordial support to Lord North and his administration.

368. 1781, July 6.—The same to the same. Baron Maule is dead. Lord Stormont is as eager for the success of Steuart Moncrieffe as Lord North can be, but care must be taken that no injury be done to Andrew Steuart.

369. 1781, July 15.—Headington. C. Jenkinson to J. R. Lord Amherst has assured me that the idea of raising Swiss troops for the East Indies has been given up.

370. 1781, July 17.—London. The same to the same. Concerning Mr. Ricketts.

371. 1781, July 29.—Addiscombe Place. The same to the same. "The Chancellor has been here and passed a morning with me. His conversation was, as usual, very kind to me, and more civil than it commonly is with respect to other people." Complaints of Lord North's personal unkindness in the matter of Mr. Ricketts.

372. 1781, August 7.—Smallberry Green. The Earl of Sandwich to J. R. Concerning the Receiver-General for the county of Huntingdon.

373. 1781, August 8.—Admiralty. The same to the same. Concerning the same.

374. 1781. August 19.—Bushy Park. P. Wentworth to Lord North. Gives a long account of his interview at Amsterdam with Mr. Rendorp, the President Burgomaster, Mr. Vander Hoop, and Mr. Deutz, with regard to a treaty between Great Britain and the Seven Provinces. (Three sheets.)



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375. 1781, April 25.—Perthshire. Henry Dundas to [J. R.]. Encloses and recommends—

(A.) Application from Lord Elphinstone to the Lord Advocate, for the pension of 400*l.* a year, vacant by the death of Lord Crawford.

(B.) Application from Lord Mountstuart to the same, on behalf of Lord Elphinstone.

376. 1781, August 29.—Kew. The King to Lord North. "I have carefully perused the hints Lord North transmitted this day, and which I now return, for a separate peace with the United Provinces, which arrived a few days since from Holland. The proposition from Russia certainly makes it impossible to settle finally with Holland without passing through the channel of Russia, but I doubt very much whether the French party has not got so decided a majority that no separate peace with that Republic will be effected, yet it is advisable to be informed what terms the friends to negotiation think attainable. Lord North having read the dispatches from Petersburg must see that no kind of reliance can be placed on the solidity of that Court, that therefore it is absolutely necessary to know how far the Court of Vienna will consent to the separate peace under the sole mediation of Russia, before any answer is given to the joint offers of the Northern Courts. Therefore Lord North has my consent to go to Wroxton and to stay the next week, unless the letters from Vienna shall enable Lord Stormont to lay (*sic*) the Dutch business on Thursday sevensnight, of which Lord North shall have notice."

377. 1781, August 30.—Admiralty. The Earl of Sandwich to J. R. "Our Cabinet is just broke up. Everything went on very quietly and well, though Lord Stormont showed a disposition against Mr. Stables, and Lord Amherst was clear against him, and wished for General Monckton. Lord Chancellor was clear for Mr. Stables. I said what I thought necessary in his behalf, and mentioned Lord North's approbation of him. Lord George said nothing, but was quite for Mr. Stables. . . The conclusion of course has been that Mr. Stables is to be recommended to the King as a proper person to fill the office destined to him by the India Company." "Very private."

378. 1781, August 30.—Syon Hill. J. R. to L. Sullivan. Concerning Mr. William Burke at Bussora, a relation of Mr. [Edmund] Burke. (Copy.)

379. 1781, August 30.—Christ's Hospital. Thomas Burfoot to J. R. This morning I was informed of the death of Alderman Hayley. We are told that there will be three candidates, the Lord Mayor, Aldermen Townsend, and Crichton. I think we shall benefit by the three standing, and they will "cut" one another. (Copy.)

380. 1781, August 31.—Syon Hill. J. R. to the King. Concerning the election of a member for the City of London. (Draft.)

381. 1781, August 31.—Kew. The King to J. R. "We have so frequently failed in attempts in the City that I am not sanguine in my expectations of success on this occasion, but must think it advisable to encourage Mr. Clarke on this opening, should the three opponent candidates stand. He may have some chance of success, but he certainly has not an hour to lose, and the writ ought to be in the Gazette as soon as the necessary forms will admit of which I am certain Mr. Robinson will not lose sight."

382. 1781, September 1.—Wroxton. Lord North to J. R. "If Mr. Clark does not succeed, I should, from the respect I bear to the chief magistrate, wish that he may be preferred to the other two. I am

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not inclined to spare any trouble in this business, or, indeed, any legal method of supporting Mr. Burfoot and his friends. . . . If we are obliged to engage in any expense, the sum should be fixed. . . . Lord Amherst wishes that Genl. Monkton may go out as Counsellor [to India], and so does Mr. Jenkinson, who I believe to be at the bottom of this difficulty, and to have suggested it to Lord S[tormont]. I know the disposition of his Lordship not to be favourable to me. . . . If it is thought of importance that Genl. Monkton should be upon the spot to receive the command when Sir Eyre Coote quits it, I suppose it would not be impossible to persuade the Directors to give a salary to Genl. Monkton as a retaining fee." Remarks concerning Mr. William Burke, Lord Dunmore, a candidate for the East Indian Direction, and a prisoner for debt. (Two sheets.)

383. 1781, September 2.—St. James's. Viscount Stormont to Lord North. Concerning the negotiation with Russia, to be discussed by the Cabinet on the 6th. It seems better to make a stand upon the terms of peace than upon general reasoning against a separate negotiation with Holland. "Most private." Encloses—

(A.) Note to be read to the Cabinet. There are many strong objections to a separate peace with Holland in the present temper of the Republic, and little reliance can be placed on the impartiality of the Empress of Russia. These considerations decided the first answer given to her offer of mediation between Great Britain and Holland. Now that the prospect of a general negotiation appears distant, she has resumed the idea of a separate mediation with great warmth. If this is refused, she will be highly exasperated, and as she is so much governed by passion and pride there is reason to fear that she will endeavour to draw upon us the whole weight of the Northern League. Sweden, which is in the hands of France, would gladly join in her plan, Denmark reluctantly, but wherever Russia leads Denmark will follow. The most dignified part for this country would be to abide by the first answer, and stand by the consequences. "If we are equal to such a contest but for one campaign, perhaps the wisest as well as the most spirited conduct would be to risk the fate of it, and throw a die for the whole." The Northern powers, however, can wound us in a vital part by cutting off our supplies of naval stores, while they themselves are scarce vulnerable. An extension of the war would raise the hopes of France, Spain, and the Rebels. "It is to be feared that one of the first steps these new enemies would take would be to acknowledge the Rebels as an independent state, and in this they would be joined by Holland, and probably by the King of Prussia. An acceptance of the sole mediation of Russia would retard these evils, if it did not prevent them." The Empress "will never venture a rupture without the assistance of the other two Northern powers, and in the event of the failure of this negotiation, she would have no pretence for calling upon them. . . . The mediation would engage her attention and feed her vanity, at least for a time. . . . The failure of the negotiation would not be liable to the same inconveniences as the refusal of her mediation." This mediation might make her less solicitous about the negotiation for a general peace, from which, after the unfriendly proposals fabricated at Vienna, we can expect no good. If your Lordships should advise his Majesty to decline the mediation offered by Russia, great resentment is to be expected, haughty and insolent language, and perhaps an open rupture. If you should advise his Majesty to accept it, the acceptance should be accompanied by a statement of the terms we shall accept, which may be stated to be our *ultimatum*. (Three sheets.)

(B.) Seven heads for a separate treaty with Holland. (French. Two sheets.)

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384. 1781, September 3.—Wroxton. Lord North to J. R. Concerning messengers, and the day of the meeting of Parliament.

385. 1781, September 7.—Admiralty. The Earl of Sandwich to J. R. Concerning the representation of the borough of Portsmouth, advocating an agreement between the two parties. "Private."

386. 1781, September 12.—Seamore Place, Mayfair. The Earl of Ailesbury to J. R. Solicits the appointment of Mr. Robert Anstey, son of a gentleman well known in the literary world, as a cadet in the East Indies.

387. 1781, September 25.—St. James's. Sir S. Porten to J. R. Concerning the case of Mr. Daubenny. "Private."

388. 1781, September 26.—St. Cross. C. W. Cornwall (Speaker of the House of Commons) to J. R. Concerning Mr. Dunn. "I am happy to find that Parliament will not meet till the end of November. I have long thought it not good policy to suffer the longer sitting of Parliament than was necessary for the public business, and that public business took up more or less time, in proportion to the provision which had been made, not to the substance only of the business, but to the paper and packthread which enveloped it."

389. 1781, September 27.—Windsor. The King to J. R. "By the appearance of yesterday I had flattered myself that Alderman Clark would have been at the head of the poll this night. I now suspect the Lord Mayor will be successfull. The measures taking at Colchester seem to promise success. Rebow was so bad an attender and so doubtful in his conduct that the change seems advantageous."

390. 1781, September 30.—Bushy Park. Lord North to J. R. Concerning the contracts for victualling, the letters of Lieut. Col. Debbieg, the application of Lord Dunmore, and the Lord Lieutenancy of Essex.

391. 1781, October 1.—Waldershare. The same to the same. I have quite done with elections in London. "We have now been led three or four times into idle and foolish expenses there, at a time when the principal persons in the City, after having embarked Government, have seemed not very earnest themselves, as Mr. Harley showed himself in the last instance, by going out of Town in the midst of the poll. In this case of Colchester I am inclined to give way . . . . The sum however must be limited, and should not exceed 1,500*l.* or 2,000*l.* at the most." Potter, being a contractor with the Treasury and Victualling Office, should be deterred from the ruinous plan of disobliging us and hurting himself, by opposing Affleck. My near relation, Mrs. Boydell wants the place of Painter to the Navy for her husband. I do not know that such a place exists.

392. 1781, October 31.—Melville. Henry Dundas to [J. R.]. Concerning a cadetship promised to Mr. Cruikshanks.

393. 1781, November 1.—Same place. The same to the same. Concerning Mr. Hay's appointment as Secretary to the Supreme Council in Bengal.

394. 1781, November 11.—St. James's. Sir S. Porten to J. R. Sends despatches from Commodore Johnstone and Major-General Medows.

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395. 1781, November 19.—Bushy Park. Lord North to J. R. Concerning the mover of the address, and Mr. Joliffe. "My body and mind are feeble and unfit for exertions, and I shall not be able to go through the next Session. I wish that his Majesty would prepare himself in case of accidents."

396. 1781, November 21.—Admiralty. The Earl of Sandwich to J. R. Concerning different members of Parliament summoned to London, and concerning the representation of the borough of Portsmouth.

397. 1781, November 25.—Same place. The same to the same. Concerning the representation of the borough of Portsmouth. Letters from France bring a certain account that Lord Cornwallis surrendered on the 19th past. "Private."

398. 1781, November 27.—Same place. The same to the same. Encloses, and asks for advice about—

(A.) Letter from J. Rawlinson, to the Earl of Sandwich, dated at Lincoln's Inn Fields, November 27, 1781. Being now convinced that the prosecution of the American war must end in ruin to the mother country, he can no longer vote with the Ministry on this question. As he is unwilling to vote against them, he is ready to absent himself, or to vacate his seat.

399. 1781, November. Lord Thurlow to J. R. Concerning the Commission of Sewers.

400. 1781, December 1.—Samuel Wilks to J. R. Concerning letters received from India.

401. 1781, December 9.—Admiralty. The Earl of Sandwich to J. R. Concerning Mr. Cecil. "The King mentioned to me the other day his not having lately seen any lists how people voted in the House of Commons, which used formerly to be frequently communicated to him."

402. 1781, December 10.—Queen's House. The King to J. R. "Mr. Robinson has done very right in returning the state of the House of Commons, as he did not want it longer. It is certainly very useful to me, as it shows who can be most depended upon. A copy of the division on the address and of that on the supply would be very agreeable to me, if they can be easily made out. I should also wish to see the minutes on the receiving of the petition from the Common Hall of the City of London, and the proceedings at Westminster Hall this day, and at the previous meeting for that of the county of Surry, Lord North having but very slightly mentioned the one of Westminster, and not one word on the other two."

403. 1781, December 13.—Admiralty. The Earl of Sandwich to J. R. I am clear in my opinion that it is my duty to court an enquiry into naval affairs, unless there is a party among Lord North's supposed friends who have formed connections adverse to me. "Private."

404. 1781, December 14.—Same place. The same to the same.

405. 1781, December 26.—Lord North to J. R. Concerning the proposed candidature of Mr. North [at Taunton]. "I send you a most important and extraordinary letter, which I received to-day, and which I must desire you to bring or send to me to-morrow. I must then return some answer. You see that there is no great objection to changing men, but a very great one to changing measures, and that it will be expected from me to take upon myself *alone* to carry on that plan which appears to me in our present circumstances ruinous and impracticable." (En-

dorsed by J. R. "His Majesty's letter." See the King's letter to Lord North, No. 702 in Mr. Donne's edition.)

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406. 1781, December 27.—Salt Hill. Lord Thurlow to J. R. Concerning the Post Office.

407. 1781, December 27.—Thomas Exon to J. R. Concerning the representation of the borough of Taunton.

408. 1782, January 13.—Blackheath. The Earl of Sandwich to J. R. Concerning the proposed naval enquiry. A meeting with Lord North and some of the principal members of the House of Commons before the opening of the session seems to me absolutely necessary. "Should that not be obtained with cheerfulness on the part of the friends of Government, I should not augur very well of the event of the enquiry; with that kind of support I fear nothing, but am inclined to flatter myself that Government, as well as myself, will gain credit from the enquiry." I look upon you as my chief and confidential friend. I believe that Ellis is a decided friend, and that Jenkinson is very favourably disposed. "The Advocate [Dundas] I consider as an enemy, and as being led by the Lord Chancellor to be adverse personally to me. Nothing but Lord North's interposition will draw him from pursuing that line of conduct. . . . If Administration gets well through the naval enquiry, Mr. Orde must gain credit by taking a leading part and shewing his abilities on such an occasion. . . . I fear no enquiry unless there should be a party among those who profess themselves friends of Government who think that a change in the Admiralty would strengthen the Administration. On this point I differ from them in opinion, but decency makes it improper for me to give the reasons upon which my difference of opinion is founded." (Two sheets.)

409. 1782, January 20.—Admiralty. The same to the same. Encloses letters to which he desires to have "ostensible answers."

410. 1782, January 24.—Same place. The same to the same. Concerning Mr. Smith, an alderman of Huntingdon, and Mr. Hampshire his deputy, "the cleverest fellow in England."

411. 1782, January 24.—The same to the same. "My wish is that by all means it should be a Committee of the whole House, that the enquiry may be as public as possible."

412. 1782, January 25.—Admiralty. The same to the same. "I hope yesterday was a good day for Administration as well as for the Admiralty. . . . We are preparing and digesting at this office a narrative of everything that seems necessary as materials to answer the several heads of enquiry, as far as we collect them from Mr. Fox's speech, and the orders of the House of Commons."

413. 1782, January 27.—The Earl of Hillsborough to J. R. "The conversation [with the King] you mention passed, but it was of my seeking not his. It was not explicit as you wish, but very confidential. I agree with him upon the necessity of a S[ecretary] in the H[ouse] of C[ommons]. I recommended pressing J[enkinson] again, and telling him that he was resolved to have one *there*. Probably this may make him accept, for he will be afraid of the A[dvocate] getting before him. The A[dvocate] however cannot do *at present*. At all events then take E[llis] for the present, and give the T[reasurership] of the N[avy] to the A[dvocate]. This will put him in a situation not too agreeable to J[enkinson], and if at the end of the Session it should be thought desirable E[llis] and A[dvocate] may change, or *alors comme alors*. At least it will enable N[orth] to make use of J[enkinson]'s jealousy,

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and the A[dvocate]'s ambition. These were the poor politicks I suggested. He left me undetermined as usual. I am ready to stir my old bones as well as I can, but convinced it will answer ill to put it in my hands."

414. 1782, January 31.—Pall Mall. Lord George Germain to Lord North. "When I had the honor of seeing your Lordship yesterday seven-night in Downing Street you were so good as to assure me that you would on the next day send me a note acquainting me with the King's pleasure whether I was to continue in office or resign the seals. A decision upon that subject is absolutely necessary, as my remaining in this precarious state prevents all business being done in my department, and till the measures of Administration are finally determined, no preparations can be made for carrying on the war, for maintaining our present possessions, or for taking any step towards propositions of peace." Instructions should be sent to the Commander in Chief, and some answer should be given to the Duke of Newcastle, who presses for the recall of Sir Henry Clinton. "The uneasiness which is universally expressed at the inactivity of Government, the conjectures which are occasioned from those high in office, and supposed to be high in your confidence, absenting themselves from the House of Commons, call aloud for some declared plan of Government, and for exertion in every department of business, and I should think myself inexcusable if I did not in the strongest terms once more beseech your Lordship to dispose of me in that manner which may best answer your Lordship's views for his Majesty's service and the publick good."

415. 1782, February 1.—Admiralty. The Earl of Sandwich to J. R. Concerning the arrangements to be made for the *management* of the debate on naval affairs. "My whole mornings are taken up from ten till five in digesting the papers that are to be laid before the House."

416. Same day and place. The same to the same. "I am glad to hear that you have made some impression on the Advocate." The "Thetis" is unengaged. I do not know when the court martial will be held.

417. 1782, February 3.—Same place. The same to the same. I desire to meet Mr. Orde and Mr. Percival. Wednesday evening is fixed for the large meeting at Lord North's. Lord Mulgrave suggests that I should invite Mr. Ellis and the Solicitor General to meet him at dinner. "It is absolutely necessary that you should see the Advocate without delay, as it is very material to know whether he is adverse or not."

418. 1782, February 8.—W[elbore] Ellis to J. R. Lord Hillsborough entirely approves of the stopping of the packet if it is not gone, but says that he cannot take upon himself to give the King's orders for stopping it.

419. 1782, February 9.—The same to the same. Todd imagined that the object of your note was to stop the Jamaica, West India, and North American packets. I told him there was no such intention, but merely to stop the New York packet, or, if it had sailed, to have another ready to carry the letters of Tuesday.

420. 1782, February 9.—Whitehall. Lord George Germain to Lord North. As I am now at my office for the last time, I desire to support the request of Mr Knox who has rendered me constant assistance, and also to recommend Mr. Pollock, the first clerk in the Secretary's office. From the expressions in your last letter I was apprehensive that my

conduct had not been agreeable to you, but the King has assured me that I have every reason to be satisfied with your sentiments in regard to me. I wish you all possible success and happiness both in your public and private capacity. Encloses—

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(A.) Application from Mr. Knox concerning a pension.

421. 1782, February 10.—W. Ellis to J. R. "I called this morning on Mr. [Gabriel] Steward to inform him of what, I suppose, is to happen to-morrow, for I have not yet had any direct signification of the King's pleasure to come to receive the seals. . . . I found Steward a little out of humour, and thinking himself slighted because he had not had any signification from Lord North or from you." He was Mayor [of Weymouth] at the time of the dissolution, and therefore obliged to prevail on Captain Lisle (Lyel) to be returned in his place. He accordingly bore a fourth part of the expense of that election, but he complains that when his Mayoralty expired, the whole expense of the election after Captain Lisle's retirement fell on him alone. Is it worth while to put him out of humour for the value of 500*l*. ?

422. 1781, February 13.—Admiralty. The Earl of Sandwich to J. R. Concerning Mr. Fox's motion for Wednesday (the 20th).

423. 1782, February 14.—The same to the same. "I think something ought to be thrown out in the House upon the strange language held by Mr. Viner, but by whom or how I cannot at present decide."

424, 425, 426, 427, 428. 1782, February 15.—The same to the same. Concerning the attendance of Members of Parliament on the 20th.

429. 1782, February 15.—Lord North to J. R. Concerning Newcastle and concerning General Tryon. "I inclose a summoning letter sent to me by Sir Francis Bassett to give him the decisive answer I promised. I cannot give it him, but I have no right to expect him to remain undetermined, so that, I fear, I must let him take his course, the consequence of which will be the defection of himself and his three friends to the enemy. We can but ill spare them."

430, 431, 432, 433. 1782, February 15.—Admiralty. The Earl of Sandwich to J. R. (Concerning the attendance of Members of Parliament.

434. 1782, February 16.—C. Jenkinson to J. R. The case of those bankers who are not admitted to the subscription seems hard, as it gives the rest of the trade a great advantage over them. Encloses—

(A.) Letter from Messrs. Brown, Collinson, and Tritton to C. Jenkinson, dated Lombard Street, February 16, 1782.—Having no connexion with any of the gentlemen to whom the loan is to be allotted, they fear that they will be excluded. The list of applications for themselves and their friends amounted to 500,068*l*.

435. 1782, February 20.—Admiralty. The Earl of Sandwich to J. R. "The story about the five ships detained from Rodney is as follows:—Rodney was first to sail with ten ships. Five more were then ordered *by Cabinet* to be added, and five additional ones to be prepared to be sent after him. However, upon his having got the start of the French fleet the second five were *by order of Cabinet* stopped, upon an idea that they are more wanted at home. However, two of the second line are notwithstanding sent out to strengthen Sir Richard Bickerton, and to leave him in a certain latitude and proceed then to join Sir George Rodney. This is also done by Cabinet. As to stopping the French fleet, after the detachments of seventeen to

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the West and six to the East Indies, it is utterly impracticable, as we have no force in any readiness to attempt it."

436. 1782, February 25.—Same place. The same to the same. Concerning the attendance of Members of Parliament.

437. Same day and place. The same to the same. "A certain very considerable person desired me to endeavour to see you, in order to press you to use every possible exertion to secure attendance on Wednesday, as he is fearfull that Lord North cannot give his attention to this very important part of our present business."

438. 1782, February 26.—Same place. The same to the same.

439. 1782, March 3.—Same place. The same to the same. Encloses a letter (from Sir John B. Warren) explaining that he makes a distinction between voting for Lord North and voting for Lord Sandwich.

440. 1782, March 3.—Sackville Street. Henry Dundas to J. R. "Our last conversation, joined to the idea that Lord North should not in the present situation of affairs act any part inconsistent with honour and the dignity of his publick character, suggested to me the idea of putting something in writing in the shape of arrangement of an administration. I do it for Lord North only, as I have consulted with nobody. . . . I have put the matters in two views, and have only to add upon them, that one or other of them appears to me absolutely necessary. Lord North's remaining in his situation would certainly be attributed to motives very dishonourable to him, and even after having so disgraced himself, still his duration in office would be very short. . . . After having fought so long by his side upon personal considerations, I would not be part of an administration formed upon the coalition I have suggested exclusive of him. . . . I feel it as a point of private honour in my own breast, which I value more than any situation, to stop my political career with the fall of the minister whose friend I have been. . . . When I talk of removing Lords Hillsborough and Dartmouth, you will naturally understand that I mean their retreats to be perfectly comfortable. Lord Talbot's office naturally suggests itself for one of them. Allow me further to add that when I suggest myself for a Cabinet situation in place of the Treasurer of the Navy, it is truly giving up what is both more lucrative and more comfortable in every respect, and no motive whatever would make me think of such a thing: except a notion that my being in the Cabinet at the same time other people were introduced, would give weight and comfort to him." (Two sheets.) "Most private." Encloses,—

(A.) "1st View. If Lord North is to remain at the head of Government, the following seems a very strong arrangement without anything expensive in the execution of it,—

Treasury	-	-	-	-	Lord North.
Chancellor	-	-	-	-	Lord Thurlow.
President of Council	-	-	-	-	Lord Gower.
Privy Seal	-	-	-	-	Lord Weymouth.
Secretary at War, in Cabinet	-	-	-	-	Mr. Jenkinson.
Secretary of Foreign Affairs	-	-	-	-	Lord Stormont.
" " Domestic Affairs	-	-	-	-	Mr. Ellis.
India and Plantation	-	-	-	-	Lord Advocate [Dundas]
Admiralty	-	-	-	-	Lord Howe.

Mr. Pitt, Treasurer of the Navy, with a seat at the Treasury, Admiralty and Trade, to some of his young friends.

A peerage to Sir James Lowther, and a Blue Ribbon to the Duke of Rutland.



The general principles of the above administration must be, an end to the American war, the best peace to be got, universal economy, and a high-handed executive authority.

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2nd View.—If Lord North is not to remain, it appears to me that the safest thing for the King is not immediately to throw open his Government, but to appoint Lord Gower to the Head of the Treasury, Mr. Jenkinson Chancellor of the Exchequer, Lord Weymouth President of the Council, Lord Howe First Lord of the Admiralty, Lord Thurlow remaining Chancellor, with power to him to give such intimation as he thinks proper to the Rockingham and Shelburn parties separately that the King is ready, upon the foundation of the Government as above stated, to dispose of the other places both in and out of the Cabinet for the purpose of a coalition with either of the above two parties, for it appears impossible to coalesce with both, and at the same time preserve any part of the former system of Government."

441. 1782, March 6.—The Earl of Sandwich to J. R. "I think we have had a good day in the House of Lords—the numbers 37 and 72. Lord Beaulieu and Lord Bessborough went away without voting, and several others that I cannot yet recollect.

442. 1782, March 7.—Parliament Street. C. Jenkinson to J. R. Desires to see him, particularly after his interview with Lord North.

443. 1782, March 7.—Apsley House. Earl Bathurst to J. R. My nephew [John] Buller has desired me to ask his Majesty to give him the Chiltern Hundreds, as you have told him that Lord North will do nothing for him. I shall be under the necessity of telling a long story of repeated ill usage. I shall be obliged to mention your name as one from whom, as from Lord North, I have received the most solemn promises. I am not sure that I shall have interest enough with my nephew to prevail with him to bring in a friend to Government in his place. "But if you will recommend a gentleman who is willing to pay handsomely, I will endeavour to get him chosen [at West Looe]."

444. 1782, March 8.—Admiralty. The Earl of Sandwich to J. R.

445. 1782, March 9.—Henry Dundas to J. R. "I will fight your battle while a rag of you remains, but it is a wild idea to suppose that with a majority of only ten votes the Government of this country in time of war can be carried on. A few changes two months ago would [have] left us all upon our legs. But Lord Sandwich was a favourite with too many of you, and by that partiality we are reduced to what we now are. As to what you say about myself, you know I have long felt *seriously* hurt that I am the only person in Scotland whose office is not for life. The conclusion naturally arising out of that circumstance galls me perhaps more than you think. . . . Without any other feeling but personal love to Lord North himself, I am determined to stand and fall with him. I think both the President's warrant and my own should be in my possession before Wednesday. . . . I ought to be left dependent upon the goodwill of nobody but the Minister by whose side I have fought, and whom in no moment of difficulty I have ever forsook in thought, word, or deed. Postscript.—Never omit one moment to remind Lord North of the absurdity of not giving a good reversion to his son, but above all enforce upon him that he will not gain any credit by not doing it, and does not take the chance of benefiting one of the best young men I ever knew." (Two sheets.) "Private."

446. 1782, March 9.—Parliament Street. C. Jenkinson to J. R. Desires to see him before going to the King.

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447. 1782, March 9.—Copy of circular letter proposed to be sent to Members of Parliament to request their attendance on the following Monday and Wednesday.

448. 1782, March 13.—Admiralty. The Earl of Sandwich to J. R. Concerning the attendance of Members of Parliament on Friday (the 15th). Encloses answers received—

- (A.) From Lord Wentworth.
- (B.) From Lord Sheffield.
- (C.) From J. Burling (M.P.)
- (D.) From Sir Charles Frederick (M.P.)
- (E.) From Lord Hinchinbrook.
- (F.) From Lancelot Brown, junr. (M.P.)

449. Same day and place.—The same to the same.

450, 451. 1782, March 14.—Same place. The same to the same. Concerning an Indianman, the "Princes Royal," believed to be intended for foreigners. "If an Act of Parliament is not instantly passed to prevent these illicit practices, it will be a great disgrace indeed to Government which has allready suffered disgraces enough."

452. 1782, March 15.—Same place. The same to the same. Concerning the attendance of Members of Parliament.

453. Same day and place.—The same to the same. "If we go out of office I should hope that I shall not be forgotten. Unless I retire with a pension, my finances will be in the utmost disorder. I wish to consult you in the course of to-morrow as to the measures to be taken upon this subject."

454. Same day and place.—The same to the same. "From what I have heard to-day I am persuaded that if Lord North did not despond and talk of giving the thing up, matters would not be yet irretrievable."

455. 1782, March 17.—Same place. The same to the same. "I am very much obliged to you for the detail you have sent me of the division of Friday last. It gives me a very bad opinion of the present state of affairs, as I percieve (*sic*) the rats increase, and I do not know that we can make any further exertions."

456. Same day and place.—The same to the same.

457. 1782, March 19.—Same place. The same to the same. "I saw a certain considerable person yesterday, who is much to be lamented. He is very firm and seems to be inclined to do every thing that is dignified and judicious. I afterwards saw Rigby who desponds totally, and thinks that further resistance is in vain."

458. 1782, March 19.—Sackville Street. Henry Dundas to J. R. Concerning the office of surveyor of the duty on houses and windows in the counties of Berwick and East Lothian. Encloses—

(A.) Letter from Lud. Grant to the Lord Advocate concerning the same.

459. 1782, March 25.—Sir S. Porten to J. R.

460. 1782, March 25.—Treasury Chambers. J. R. to Mr. Eliot (Draft.)

461. 1782, March 22.—Admiralty. The Earl of Sandwich to J. R. Hopes that Lord North will dine with him the following evening at "the last cabinet dinner."

462. 1782, March 26.—Sir S. Porten to J. R. Encloses—

(A.) Copy of a letter from the King to Sir S. Porten concerning various warrants.

463. 1782, March 26.—Admiralty. The Earl of Sandwich to Lord North. "I saw the King yesterday and urged my suit to him upon the ground of the letter I had written to him, and upon your interposition in my favour. His Majesty expressed much feeling, and I think a strong wish to give me assistance, but he made no promise, and went no further than to say that he allowed the propriety of my behaviour during the whole time I had been in his service, that he felt exceedingly for me, and that he would consider of my application. If my judgement is right, I think his inclination is with me, but he may doubt of his power, and that he may possibly have other applications of the same nature. . . . At present my Parliamentary interest is very considerable. Your Lordship knows that it is so without my naming names, but if I am reduced by my circumstances to live in absolute retirement, that interest will soon sink to nothing, and my means of doing any service to this distressed country be utterly annihilated."

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464. 1782, March 26.—W. Ellis to J. R. Concerning the proposal to give a pension to Mrs. Arnold, which has been approved by the King. Suggests that the amount should be 600*l.* a year, as there are five boys.

465. 1782, March 27.—Sir S. Porten to J. R. Concerning various warrants.

466. 1782, July 6.—Lord North to J. R. "I do not think it impossible that Mr. Fox may be persuaded to resume his office. Lord Shelburne must certainly wish to have been some time in possession of the Treasury Board before he separates from the other party in the Ministry, and Mr. Fox, finding that the Duke of Richmond and Mr. Conway are not inclined to resign, may fear that his resignation will not have the effect he expected. If therefore some point should be conceded to him which may enable him to return to office with some decency, I do not think it improbable that some peace may be patched up for a time, but the grounds of the disunion are too deep to admit of a sincere reconciliation. Mr. Fox's silence yesterday renders it possible that they may reunite for a time. If he had made any personal attack, the breach would have been irreparable. Many of his friends will, to be sure, wish to see him continue in office."

467. 1782, July 6.—Addiscombe Place. C. Jenkinson to J. R. "I am told that Lord Shelburn[e] is determined to go on, and does not think the seceders are so numerous as he expected. Lord Keppel does not resign at present."

468. 1782, July 23.—Same place. The same to the same. "I cannot help thinking that Lord S[helburne] is sure of the Advocate [Dundas] . . . I am of opinion that you should tell Lord North that Lord Sh[elburne] has desired to see you, that you should go to Lord Sh[elburne] at the time appointed, and converse with his Lordship on any subject he may mention to you, as a man of honour ought to do . . . You may be assured that the Chancellour is at the bottom of all this busyness, and that he gives his full support to Lord Shelburn[e], and I am confident that the Advocate will not give his answer without consulting him. Nor would he have come from Scotland, if he had meant at once to refuse. I should be glad to meet you for the purpose of receiving such information as you could give me, but I dare not come to Town as I should be observed, and a meeting on Battersea Bridge or Battersea Rise is too uncertain."

469. 1782, August 7.—Windsor. The King to J. R. "Mr. Robinson is desired to send the enclosed to Lord North. I cannot at the same time avoid expressing my approbation at his having undertaken to

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furnish Lord Shelburne with an accurate state of the House of Commons and the connections of each of them as far as can be ascertained. This will be very material to counteract the activity of Mr. Fox, who, every honest man and those in the least interested in the support of this constitution must wish to do the utmost to keep him (*sic*) out of power."

470. 1782, August 7.—Syon Hill. J. R. to the King. He will render every service which he can in favour of his Majesty's Government and the constitution. (Draft.)

471. 1782, August 14.—Wirksworth, near Matlock. Lord North to J. R. "Your letter with its enclosure has overtaken me. It was very important and remarkable." I send an answer which you will take care to have carefully and speedily delivered.

472. 1782, August 17.—J. R. to the King. Transmits letter just received from Wirksworth, near Matlock, using the same channel through which he received the King's commands. (Draft.)

473. 1782, August 19.—Windsor. The King to J. R. "Mr. Robinson has acted with his usual punctuality in using the same channel to convey the answer by which he had the letter to which it relates. G. R."

474. 1782, August 21.—Upper Harley Street. Thomas Orde to J. R. "Lord Shelburne desires to have the pleasure of seeing you at Wycombe on Saturday next to dinner at five o'clock, and hopes that you will stay Sunday."

475. 1782, September 3.—Wroxton. Lord North to J. R. "I return you inclosed the letter you sent to me at Lord Bagot's, which you will be so good as to take care of, and to put it (*sic*) with the others which you have of the same hand (*i.e.* from the King). Be so good as to keep it very private, and shew it to no person breathing. Read it however over carefully yourself, for I shall want to converse with you upon the subject of it. . . . In the meanwhile I wish you would prepare for me an exact copy of the note of hand which I gave some time ago to Mr. D[rummond]. You will perceive by the inclosed letter that no notice is taken of it, nor a word said to relieve my mind on that subject."

476. 1782, September 7.—Same place. The same to the same. Expresses anxiety about the safety of his last letter.

477. 1782, September 8.—Same place. The same to the same. Concerning the [King's] letter enclosed on the 3rd. "There is not the most distant hint of any intention to do me justice, and I very much fear that if the matter is not now settled it never will be settled as it ought. I want therefore some pretence for renewing the business, which, if I am furnished with the paper I want, I shall be able to do with a tolerable grace, as Lord Brudenell has called upon me once or twice for a line of explanation on the subject."

478. 1782, September 16.—Orton. C. Jenkinson to J. R. I conclude from your visit to Wycombe and other circumstances that Lord S[helburne] is pleased with your conduct, and I have no doubt that the King will be pleased with it also. "I am sorry to hear that Lord N[orth]'s answer was cold and reserved. . . . I dread the advice which Eden will give him, for I am persuaded that his Lordship wants to drive a bargain, and to this Eden will direct him till he has profitted himself by it. This is however a very shabby and undignified conduct for a man who has held such great situations, and who has received

such favours from the Crown. Think what he, his father, his brother and son now receive from the Crown, and that his debts have been paid, which is a personal favour never before conferred but once on any subject. I hope however he will think better and act otherwise. He at least should not be cold and reserved to such a master. He had better give a flat negative, and *assign his reasons*." "Private."

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479. 1782, September 22.—Same place. The same to the same. "I agree with you perfectly in opinion on all you have said concerning Lord North's conduct. I know through a private channel that a certain person is displeased at the answer that was returned, and says that Lord N's present language is very different from the strong and repeated declarations he used to make him. I am persuaded however he will act right in the end, though he will lose all the merit and grace of it." I approve your idea of having a pamphlet written. Would Macpherson undertake it?

480. 1782, October 1.—Walmer Castle. Lord North to J. R. Concerning his movements, etc.

481. 1782, October 1.—Orton. C. Jenkinson to J. R.

482. 1782, October 12.—Addiscombe Place. The same to the same.

483. 1782, October 27.—Dillington. Lord North to J. R. "Your express has distressed and perplexed me beyond expression. Since the rising of Parliament, I have heard nothing respecting India affairs, and I imagined that all attempts to recall the Supreme Council had subsided, at least that since the last advices the idea of removing Mr. Hastings would be dropped for a time. But now I find myself called upon suddenly and without the least notice to take an active part in order to preserve a gentleman in the government of Bengal of whose conduct on several occasions I have often expressed my disapprobation, and whom I myself have endeavoured in vain to remove. If I desisted from that pursuit, it was partly from despair of success, and partly because since the death of Sir John Clavering and General Monson, I know no person whom I wished to see in his place. . . . As to the recall of Mr. Hastings I am certainly of opinion that it is a rash and ill advised measure, especially at this time, when the circumstances of India require in a Governor-General the most tried abilities, the greatest experience, and the most perfect knowledge of the country, and when the last advices from thence have given the Company every reason to be satisfied with the late conduct of Mr. Hastings. To send a perfect stranger there at this moment, appears to me so impolitic, and so little likely to give satisfaction, that I wonder the Ministers have attempted it." I shall therefore be very glad to act with Governor Johnstone, unless you should think it improper for me to interfere for following reasons:—

1. I have frequently expressed my wish that Mr. Hastings might be recalled, and do now think that many parts of his conduct have been very exceptionable, and that his constant disobedience to the orders of his superiors may, if not discouraged, prove of very pernicious example to the public."

2. "I proposed, promoted, and encouraged the Secret Committee who first advised Mr. Hastings's removal."

3. Most of my friends are out of Town, and others may not admit that circumstances have altered.

I leave it to you to decide whether to ask my friends to vote against the recall of Mr. Hastings, or to stand neuter. "It is impossible for

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me to wish that my friends would join the Directors in a measure which appears big with danger to the public." (Two sheets.)

484. Same day and place. The same to the same. I have referred Commodore Johnstone to you for my reasons *pro* and *con* about interfering in the ballot. "Unless the objections are weighty, I had rather consult the public good than my own reputation of consistency. This, however, is not to be risked lightly, and if you are perfectly certain I can be of little service." "Private and separate."

485. Same day and place.—The same to the same. Upon maturer reflection I have thought it better to enclose my letter to Governor Johnstone to you, leaving you free to send it or not as you think best. "Private and separate."

486. 1782, November 4.—Bushy Park. Lord North to the King. (Copy by J. R. Printed in Mr. Donne's edition, No. 729.)

487. 1782, November 24.—Rochester. Lord North to J. R. "I do not expect to see the Address, but wish to know enough of it to be able to judge whether we shall be driven to oppose any part of it."

488. 1782, December 3.—Bushy Park. The same to the same. "I do not understand the nature of the treaty with America. . . . One thing, however, is very apparent, that peace will not be concluded when we meet, that the most we are to expect will be some provisional articles with one of our enemies, which will be binding or not at the will of another. The Ministry will be open to every sort of attack upon all matters in dispute between us, France, and Holland, and it appears as if they would do better, not having made the peace, to apply to Parliament for assistance to carry on the war. But it is nonsense to talk about this subject till we know the articles."

489. 1782, December 10.—Same place. The same to the same. Concerning the impending debate on naval affairs. Desires that his friends in London should go to the House of Commons on the following day, so that there may be a competent number of "*Hear him*."

490. 1782, December 13.—Same place. The same to the same. "I hope that your good news will prove true, but as an Englishman I am most anxious for a tolerable peace. I am afraid that the French had no sincere intention of concluding anything before the meeting of Parliament, and that they deceived the Ministers, while they and their friends and their agents were trying to make money in the funds. But still I will not despair. These fortunate events, if true, will hasten it, and so will a manly language well supported in Parliament, which will express a reasonable [desire] of peace, without betraying too much apprehension of the continuance of war."

491. 1782, December 15.—Calcutta. Francis Pierard to J. R. Concerning his arrival in Bengal, etc.

492. 1783, January 6.—Addiscombe Place. C. Jenkinson to J. R. Advises him to keep up his spirits, and not to mind what the rumours of party may say or write against him. It may be well to prepare a few words by way of answer to anything that may be said in the House of Commons.

493. 1783, February 1.—Syon Hill. J. R. to Lord North. Your discourse a few days ago appeared to me to have a great tendency towards a change of the conduct which you have so honourably held in parliament. "The question to be decided is what line you are to take on consideration of the Articles of Peace in the House of Commons."

To discuss those articles is not necessary for deciding your line of conduct. "A most extensive dominion and valuable part of the Empire was dismembered and irretrievably lost, in your opinion, before you quitted his Majesty's service, and your uniform language has been that peace (although not an ignominious one) was necessary to this country.

. . . . Your Lordship has hitherto in this session of Parliament on public grounds supported the measures of Government, with great credit and reputation, and that conduct has put you in high estimation with your country. . . . Does your Lordship think that the objections to the Articles of Peace are such as would justify you to say that we should go on with the war? Will the country in general, although many exclaim against several Articles of the Peace, support this idea?

. . . . Are you sure of your following? May it not happen that Mr. Fox may approve of those very Articles of the Peace to which you would object?" If you and Mr. Fox should overturn the present administration and form one, your heart will tell you that it could not be permanent or pleasant. "Speak your sentiments upon the various Articles of the Peace as they strike your mind, but do not join in any motion for an amendment of the address which may be proposed, or in anything which may tend to a disapprobation of the Peace, or towards overturning the Government. . . . When I am told, as I mentioned to you in the coach three days ago, that the Advocate had declared expressly to you by authority from Lord Shelburne, that his Lordship meant coalition with *the old Government*, that he was extremely desirous of shewing to you every possible attention in his power, as well as to your son, and that his Lordship would leave the Advocate, *your friend*, to be the judge whether his Lordship did not deal fairly and honourably by you; What am I to say? What can one think? Can one credit that there is an intention to dupe you? . . . The two questions over, which, I am sorry to say, I think may shake the Government and the constitution of this country to its foundation, arrangements may be made to form a strong and a stable government perhaps of the most efficient men in this country to bring it out of its almost overwhelming difficulties, but to entertain an idea of making terms now, or to have any bargain made, in my opinion (not to use harsher terms which suggest themselves to me) would surely not do you honour." (Draft. Seven sheets.)

494. 1783, February 6. Fenchurch Street. R. Atkinson to J. R. "The general fact of a letter having been written is undoubtedly known, and the general purport will infallibly be related. I have not an idea that the Advocate feels the least want of confidence in what has passed."

495. 1783, February 7. Hertford Street. C. Jenkinson to J. R. "I am by no means in the secret of all the intrigues which are now going forward, and which are indeed without number. I see that Lord North and the Lord Advocate have in effect quarrelled. I have taken some pains to procure an explanation between them, but without success, and I am not sure whether it is possible at present to reconcile them."

496. 1783, February 19.—The same to the same. "None of the present Ministers saw the King till to-day after the Levee, and, as I understand from Mr. Orde, Lord Shelburne had come to no resolution as to what he would do."

497. 1783, February 28.—Fenchurch Street. R. Atkinson to J. R. "The present Administration, in whose hands the King has been brought into the present dilemma, are called upon to give an advice concerning their successors. This step appears to me a wise one, inasmuch as it

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tends to bind them down to support what they recommend. The Gowers, etc., seem determined not to hazard an Administration upon their own strength, and not to trust to probabilities concerning the strength of others. At the same time it appears clear to me that a little encouragement would lead them to make the attempt . . . supposing the present Ministers to recommend an attempt in the Gower quarter. This I think the present Ministers *must* do, unless Mr. Pitt again plucks up his courage, of which Mr. Townsend was not without hopes, or unless he has secret communication with Mr. Fox, about which I confess I am not without fears . . . . Your being out of reach may in half an hour's time lead to consequences never to be repaired . . . . The times are beyond all example critical; the characters of the Dramatis Personæ not remarkable for their inflexibility (excepting always one whose obstinacy seems to have petrified the powers of all the rest), and if a leading card can be managed, I think you will agree with me in thinking it may govern the whole game."

498. 1783, March 7.—Hertford Street. C. Jenkinson to J. R. "I have passed many anxious hours since you left me, and have been kept up the greatest part of the two last nights at the place where I was then going. Nothing could exceed the anxiety and almost despair which I have seen. Lord Gower has engaged to try to form something, and is now about it, but God knows whether it will succeed." "Most private."

499. [1783, March 8.]—London. The same to the same. "I am this instant come home . . . . Nothing is yet settled. Lord Gower endeavoured yesterday to form something, but has failed . . . . Everything in short is at sea, and the King in the utmost distress."

500. 1783, March 10.—Same place. The same to the same. "Everything still remains unsettled. Lord Gower has done all that he could do in order to form an administration, and that project seems to be at an end. Lord Mansfield has had an audience on the recommendation of the Duke of Newcastle, but he had nothing to propose. He condemns the conduct of Lord North and the Coalition, and I do not think that Lord Stormount will take any share in an administration formed by it. Lord Ashburton has also had an audience. He advises the King on no account to give way. He has suggested some projects, but they appear to be chymical . . . . Much the majority of mankind pity the King, detest the Coalition, and abuse Lord North beyond anything you can conceive." "Most private."

501. 1783, March 12.—Same place. The same to the same. My Friend [the King] after having done everything that man could do to resist the combination that was formed against him, has found it necessary at last to give way. He sent for Lord North this morning, and told him that the Duke of Portland might be First Lord of the Treasury, and desired that an administration might be formed on as comprehensive a plan as possible, and Lord North and his new associates are now met for that purpose." "Most private."

502. 1783, March 14.—Fenchurch Street. R. Atkinson to J. R. "Nothing transpires of the arrangements between Lord North and Mr. Fox, from which I am led to believe the detail is not found very easy to settle."

503. 1783, March 22.—London. C. Jenkinson to J. R. "Another hitch has happened, and one that is not, I think, likely to be got over. The D[uke] of P[ortland] has behaved to the K[ing] in a manner that has offended him highly. If this continues we shall have a strange day



in the House of Commons on Monday. Your absence from Town is at present very detrimental." "Private."

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504. 1783, March 24. The same to the same. "Before I went to-day to the House of Commons I understood that Mr. Pitt accepted, and I have reason to suppose that the K[ing] thought so, and had acted accordingly. When I came to the House, it was clear that he had not accepted, and the whole of Mr. Pitt's conduct was inexplicable. If it is not cleared up, I shall begin to entertain a bad opinion of him. He was of opinion that the address should not be opposed. He told me he should not oppose it, and therefore I would not."

505. [1783.] Sunday [March 16 or 23]. R. Atkinson to J. R. "Yesterday Lord North went to the King with the list of the Cabinet, and a proposition to remove the Chancellor, to which the King gave for answer that he would not. As far as I can learn there was in the proposed cabinet.

The Duke of Portland	-	-	Treasury.
Lord Carlisle	}	-	Secretaries.
Mr. Fox			
Lord Keppell	-	-	Admiralty.
Lord Stormont	-	-	President.
Lord North	-	-	Lord Warden.

I know not the rest. Whether Lord North was merely the carrier of the proposal to turn out the Chancellor, or accompanied it by his advice so to do, is not known. The general report is that *all's abroad*. What the King means to do next is not yet known, but it appears to me that nothing short of a message to Parliament, and a vote of a great majority grounded thereon, will be likely to move Pitt's mind. The Advocate might I think be moved, but I understand Lord Gower would not venture with the Advocate without Pitt . . . I have burnt your letter, which was opened by the Advocate, and recommend your doing the same by this."

506. 1783, March 25.—Conduit Street. The same to the same. "The blossoms of yesterday are finally blasted. . . . Mr. Pitt informed the King last night that nothing had passed in the House to remove those obstacles which had before operated upon his mind, to which the King replies that he hopes he will still accept. The King does not come to Town till to-morrow. The King's situation appears to me more deplorable than ever. The notes he wrote on Sunday night both to Lord North and the Duke of Portland were peremptory, that he should give them no further trouble. There now remains, I apprehend, nothing but to send them *carte blanche*.

I have had a conversation this morning with Lord Surrey, who told me the purport of the King's notes, and from whom I gather a confirmation quite decisive to my own mind that Mr. Fox did not fully inform his own party of the true conditions entered into with Lord North, and that the divided Cabinet was treated by them as an incroachment, and not as part of the bargain.

Upon a very recent conversation between Mr. Pitt and the Advocate, the latter gives the business up as wholly at an end, and that not another word can be said to him about it. All that can remain will be to give such support as one can to the Government, for by Heaven I am convinced there are not materials in the country to form another. This young man's mind is not large enough to embrace so great an object, and his notions of the purity and steadiness of political principle absolutely incompatible with the morals, manners, and grounds of attach-

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ment of those by whose means alone the Government of this country can be carried on."

507. 1783, March 28.—The same to the same. "I believe that no message has yet been sent, and that all is dark and desperate. The A[dvocate] and I intend to spend an hour with you on Sunday forenoon, not on politicks, but to enquire how fast your health is returning."

508. 1783, April 2.—The same to the same. "The writs are moved for Lord North, Lord John Cavendish, and Mr. Fox."

509. 1783, April 12.—The same to the same. Concerning the loan.

510. 1783, April 15.—Lord North to J. R. Encloses—

(A.) Application for 10,000*l.* of the loan for Thomas Farrer, and for the like sum for John Ruse.

511. 1783, April 21.—Hinchbrook. The Earl of Sandwich to J. R. "I cannot say that I was much edified with what passed when Lord Hinchbrook and I had an interview with the Duke of Portland, Lord North, and Mr. Fox. The whole was a trial whether I would be satisfied with loose assurances of what should be done for me hereafter. As to a specific office to be given me at a fixed time no such thing could be done." Lord North afterwards called on me, and I saw the Duke the same evening, and I am very well satisfied with what passed. "I am here in hourly expectation of his final answer, which if not favourable will leave me to take my political line according as my own judgement will direct me, which certainly will not lead me to a connection with the new coalition."

512. 1783, June 21.—Lord North to J. R. Concerning Mr. Fothergill, and concerning the allowance of the Prince of Wales.

513. 1783, September 4.—Fenchurch Street. R. Atkinson to J. R.

514. 1783, September 17.—Addiscombe Place. C. Jenkinson to J. R. "I shall be anxious to know the substance of your conference with Lord North. I am not surprized to hear that they are not in love with their situation. No man of honour would act as some of them have done. . . . I am mistaken if the present possessor of Bushy can reflect on his conduct with any satisfaction, and this is proved by the pains they are forced to take to keep up his spirits."

515. 1783, September 24.—Same place. The same to the same. "By all I hear a certain person has not in the least altered in his disposition to the present Ministers. He complies with their advice in all publick matters, but they generally find him out of humour. He grants them whatever he can take from them again, but nothing permanent. . . . I was always sure that he would refuse Ellis's peerage, and I am now curious to see what he will say to the Duke of Portland's request with respect to the offices vacated by Sir John Shelly's death. . . . I suspect that North and the Duke of Portland *often* agree than either of them do with Fox, and of this Fox is jealous. They are now sensible that the King is personally stronger and themselves weaker by the operation of Mr. Burke's bill. . . . Fox has said that his principal hopes are built on the present disunited state of opposition."

516. 1783, October 18.—Dublin. [John Beresford] to J. R. Review of the political situation in Ireland. (Two sheets.) "Privat."

517. 1783, October 31.—Addiscombe Place. C. Jenkinson to J. R. Concerning the political situation in Ireland. "I was today at the

Levee. His Majesty was kind to me. I thought particularly so. I met there Lord Mount Stuart. I observed from his conversation that he was attached to Fox. . . . He told me that Fox had made a great many friends during the summer, that Lord North had lost many, and that if he was now to go into opposition he would carry only his own family. . . . His Lordship added that the King had of late been very civil and kind to the Duke of Portland, but the very reverse to Fox. . . . Besides all this information I in short perceived that the present Ministers were jealous of each other and not well together. . . . Your idea of a Constitutional Club is a good one, but I do not think that things are sufficiently ripe for it."

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518. 1783, November 4.—Same place. The same to the same. There is hardly a circumstance which you have learnt from Rigby that I did not also hear from Lord Mount-Stuart. You may be sure that his Lordship was right when he said that Rigby was gained. I am not at all surprised. You know what has always been my opinion of him. "I do not think however that all Rigby's efforts will influence Lord Thurlow, or induce him to abandon the King. This I say after having had a long and confidential conversation with his Lordship. . . . I conclude Lord Weymouth will act a doubtful part, at least till Lord Thurlow is satisfied. . . . Fox wants to put himself at the head of the whole, and to get rid of the Duke of Portland and Lord North."

519. 1783, November 19.—Lord North to J. R. Desires the attendance of his friends in the House of Commons at the second reading of the East India Bill.

520. 1783, December 3.—Fenchurch Street. R. Atkinson to J. R. "Every thing stands prepared for the blow if a certain person has courage to strike it. . . . The matter will probably be submitted very soon, perhaps indeed ere this. . . . Our India Directors will, I fear, make a bungled business of the account. However in one shape or another I hope to get it through the General Court tomorrow."

521. Same day. The same to the same. "Inclosed is the result of this day's Court. It was thrown out by Potter (the Welsh judge) and eagerly caught by the Court that it would be better to surrender our violated rights to the Crown in a solemn way, if the bill passes the House of Peers, than let these new potentates have the power of mis-managing our property without controul. . . . The bill has undergone no alterations worth mentioning, and is to be read the third time on Monday."

522. 1783, December 4.—Fenchurch Street. The same to the same. "The aspect of things is hopeful. . . . Nothing decisive however has come to my knowledge."

523. 1783, December 5.—H[ertford] S[treet]. C. Jenkinson to J. R. "I approve very much of your paper of minutes. I only think that the instructions to the Council are not sufficiently ample. . . . I have talked with Lord Thurlow on all this, and have settled with him what should be done. . . . You cannot do too much to obtain the votes of Lord Abergavenny, the Duke of Beaufort, and Lord Montague. You may be assured that the King sees the bill in all the horrors that you and I do. . . . Lord Gower comes to Town on Sunday, and things will then get more in train. I shall be curious to see what Lord Sackville's members will do on Monday. I hope tomorrow to receive your list of peers."

524. [1783, December.] Canvass of the House of Lords for the East India Bill.

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525. 1783, December 8.—Fenchurch Street. R. Atkinson to J. R. Concerning the canvass, and the petition of the East India Company.

526. 1783, December 12.—Same place. The same to the same. "A direct communication has been had, and all goes right. As far as I understand, the case is, that on Wednesday a letter was written declaring the readiness of certain persons to receive the burthen, to which a reply was made full of assurance that he would go every length they desired him. He afterwards wrote, commanding Lord Temple to go to the Levee or to Court yesterday, and to have an audience. He also (I think) saw Lord Gower. He has written to Lord Gower to come to Town, and has given authority to say (when it shall be necessary) that whoever votes in the House of Lords for the India Bill is not his friend. This however is, as I understand, to be kept secret some days." "Secret."

527. 1783, December 12.—St. James's Place. Richard Rigby to J. R. "Peers and their proxies are hunted after all the world over, and the House of Lords will be numerous next Monday. The Duke of Bridgewater, who is always eager and sanguine, thinks they shall throw out the Bill, but it will be carried by a majority of 25 at least."

528. 1783, December 13.—C. Jenkinson to J. R. "I had learnt of Lord G[owe]r all that past, but as I understand that letters are now frequently opened at the Post Office I dare not write particulars. This is a bold measure, but things are in the hands of men of resolution.

529. 1783, December 14.—Leicester Fields. R. Atkinson to J. R. "I understand generally that all goes right."

530. 1783, December 15.—The same to the same. The Lord Advocate wishes "to get an appointment made for you and he and Mr. Pitt and myself to meet as soon as possible, and in the most secret way, not from any improper desire of secrecy but lest the measure in agitation should be guessed at if an interview was known. It has ended in appointing this evening at seven o'clock at the Advocate's house in Leicester Fields, when he will have some dinner for us . . . I understand in general that all goes right." (Endorsed—"Answered immediately, and went accordingly.")

531. 1783, December 16.—Burlington Street. G[eorge] A[ugustus] North to J. R. Urgently requests his attendance at the House of Commons by three o'clock to support Lord North. Desires to know how matters stand at Harwich, with regard to the probable dissolution of Parliament.

532. 1783, December 17.—Syon Hill. J. R. to G. A. North. He cannot be at the House at the time named, by reason of the gout. He has honestly spoken his sentiments to Lord North on the 13th of November, and also repeatedly to Mr. Rigby. To show personal attachment to Lord North has ever been the leading principle of his heart, and he will do all that he can do with honour and propriety concerning Harwich. (Two sheets. Draft.)

533. Extract from the above.

534. 1783, December 17.—St. James's Place. Richard Rigby to J. R. A dissolution of Parliament is in everybody's mouth as likely to take place in a few days. "Being to be set adrift for a seat in Parliament, I am determined to try the good-will of my neighbours at Harwich to represent them, I therefore solicit you as a voter, as well as to be a joint candidate with me. I know no pretensions that George North has there better than myself. Nor can the Treasury, whoever they may be, claim any influence over the present voters. And why good neigh-

bourhood and good fellowship is not to prevail in my person as well as in another's I cannot tell."

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535. 1783, December 17.—R. Atkinson to J. R. "I am dragged into the India direction," on the recommendation of Lord Thurlow quite unexpectedly. "Lord Thurlow wanted explanations of the account. He is ill, which I am confident is the ground of his apparent low spirits. He expects to throw out the bill tonight. 'Tis expected Fox will stop the third reading of the Land Tax, and vote an address against dissolution, and censure upon interference, that the Ministry will in that case be changed. You stand high with Mr. Pitt."

536. 1783, December 18.—St. James's Place. Richard Rigby to J. R. "My old friends must be grown bolder than they used to be if they advise the King to dissolve, when a majority of two to one have voted him an enemy to his country who gives such advice. Not being present I can only tell you from report that there appeared in the House of Commons last night such a spirit in support of Fox, and after the news came from the Lords of the considerable majority by which the India Bill was rejected by their Lordships, that nothing can overcome in this Parliament, and who is the bold man will advise its dissolution?"

537. Same day.—Syon Hill. J. R. to R. Rigby. Concerning Harwich. Regrets that he is to be set adrift for a seat. Hopes to see him. (Copy.)

538. Same day.—St. James's Place. R. Rigby to J. R. I perfectly understand the delicacy of your situation respecting Lord North's son and Harwich. I am determined to stand, and I have sent to my friends to canvass the borough tomorrow.

539. Same day and place.—The same to the same. Concerning the same. "I dined with the late Advocate today, who left us early to go and settle the new Ministry. Fox and the Duke of Portland were with the King, who said nothing to either of them of an intention to change his Ministers. But Lord Temple and Mr. Pitt were also in the closet at different times, which is a sufficient indication of what is intended. The dissolution is expected tomorrow." "Private."

540. Same day and place.—Half-past twelve at night. The same to the same. "I was just going to bed when Mr. Fox sent and desired to come and speak to me. He told me all was over, that Lord North and he had late tonight received their dismissals, and the King had said that as altercations were disagreeable they might send their seals by their Commissioners. Mr. Fox wished to mention a few circumstances concerning various elections, and amongst others about the Duke of Bedford's boroughs." I told him that I was determined to stand for Harwich. He thought that North had a right to your interest. He will not oppose the Land Tax, "but he will keep the House sitting as long as he possibly can without essential detriment to the publick in stopping the Land Tax." He stands for Westminster, but he concludes that the Duke of Northumberland will oppose him.

541. Same day, noon.—R. Atkinson to J. R. "The Lords negatived the commitment of the Bill by a majority of 18 present and of 16 including proxies. Fox carried the kind of questions I described by a great majority." I expect Mr. Dundas at Johnstone's after he shall have seen Mr. Pitt. "I am clearly of opinion that after the debate of last night disguise will no longer disguise anything, and is therefore absurd. I have suggested the sending you an ostensible signification of commands to give information, and hope you will agree in opinion that the kind of communication which will now become hourly necessary

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cannot be carried on at ten miles distance, and that you will come to Town tonight or tomorrow. We are to have a committee and a general court tomorrow where we must lay our groundwork . . . I should suppose the Duke of Portland and Lord J. Cavendish would to day receive dismission, and perhaps the whole gang, and the rest kiss hands tomorrow, and be in the Gazette on Saturday. Lord North was again great in debate last night. I prophesy that that man's powers will revive in opposition. What a constitution of character this is!"

542. 1783, December 19.—Treasury Chambers. Draft of circular letter [from J. R. to certain persons at Harwich].

543. 1783, December 23.—Draft of an agreement between Mr. H[enry] D[rummond] and Lord M[ountague] concerning the representation of the borough of M[idhurst].

544. 1783, December 24.—Addiscombe Place. C. Jenkinson to J. R. I rejoice to hear that some administration is at last formed. It shall have my hearty support. "I am ready to accept office, or to support without office, as is most agreeable to the wishes and opinions of those who are at the head of the Government . . . and if it be thought necessary you may move for a new writ; but I do not think it creditable to come to Town, and wait there in expectation of an office, when I have not heard as yet a word from any one on that subject. . . . I have as much zeal and enthusiasm in this business as you can have. I wish to hear and hope I shall hear that some proper provision is made for you."

545. 1783, December 24.—Tidwell. John Rolle to J. Sinclair. List of the boroughs in Devonshire, with remarks on the political influence dominant in each.

546. 1783, December 25.—Cowdray. Lord Montague to J. R. Confirms the memorandum of Sunday last.

547. 1783, December 26.—Syon Hill. J. R. to Lord North. "In consequence of the declarations I have repeatedly made, and the conduct I have uniformly pursued since your Lordship left the Treasury, and, with your approbation, to Lord Shelburne when he was the head of Administration, I have been called upon for such information as is in my power to give from the official situation I held. . . . I ought now to follow the same line." (Copy.)

548. Same day and place.—The same to R. Rigby.

549. 1783, December 29.—Fenchurch Street. R. Atkinson to J. R.

550. 1783, December 30.—The same to the same.

551. 1783, December 31.—Fenchurch Street. The same to the same. Mr. Dundas will hardly be able to attend the Cabinet tonight, and therefore, I presume, nothing will be decided. The bill is good as far as it goes, but it leaves a vast deal to be done by a subsequent bill for the regulation of affairs in India. This is the whole of the difficulty.

552. 1783, December 31.—Addiscombe Place. C. Jenkinson to J. R. The Lord Chancellor was here on Sunday, and Lord Gower has written me a very kind letter, but I have not heard a word from Mr. Pitt, as Mr. Dundas said I should. "He has not even paid me this small mark of attention." I want to see an abstract of the present state of the House of Commons.

553. 1784, January 1.—Fenchurch Street. R. Atkinson to J. R. "I am under no apprehension about Fox's attack, because a plain tale will easily put him down." MARQUIS O  
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554. 1784, January 3.—The same to the same.

555. 1784, January 5.—Isleworth. J. R. to Lord North. The examinations you have desired me to make cannot be speedily done, and it is not possible to send the papers by your servant as you desire. The notes you mention were all regularly sorted for several years, as they came to my hands. (Copy.)

556. 1784, January 5.—J. R. to Lord Montague. (Copy.)

557. 1784, January 5.—Fenchurch Street. R. Atkinson to J. R. Concerning the government of India. Fears that the bill "will be whittled down to a state of inefficiency."

558. 1784, January 6.—Syon Hill. J. R. to Lord North. I send herewith a copy of the note you gave to Mr. Drummond, and also his Majesty's notes for the years 1779, 1780, 1781, and 1782, sorted regularly and put into books. I have several old ones from 1768 to 1778, which I will tie up in parcels and send hereafter. I intended to have made an index of the whole. I send also four packets sealed up by your order, viz. (1) relative to Close and Buck's affair, January 1779; (2) to the Chandos negotiations, December 1779; (3) to the negotiations with Lord Montague, July to September 1780; (4) to the transactions with Jones, American army, and Clinton, 5 October 1781. (Draft.)

559. Same day. The same to the same. Sends seven parcels of the King's letters from 1768 to 1778, and a small parcel marked "Duke of Gloucester and Cumberland." (Copy.)

560. 1784, January 7. R. Barwell to J. R.

561. 1784, January 10.—Addiscombe Place. C. Jenkinson to J. R. I begin to be confident that we shall be victorious on Monday, although I thought it hardly possible before. Your own conduct is very noble. You do right in despising all the foolish talk respecting yourself. It would be wise, however, to prepare some "topics" on what may be said in the House about yourself. I much like what has been done this week at the India House.

562. 1784, January 20. Ed. Boehm to J. R. Declines to stand for Parliament.

563. 1784, January 22. R. Rigby to J. R. Desires to see him.

564. 1784, January 23. Lothian's Hotel, Albemarle Street. J. R. to Lord North. Concerning—Fothergill. (Draft.)

565. 1784, January 25. The same to the same. Concerning the same. Regrets that Lord North would not see him. Desires to justify his conduct to him and other private friends, but declines to notice the abuse of the newspapers. (Draft.)

566. 1784, January 25. J. R. to R. Rigby. Concerning his own relations with Lord North and Rigby. (Draft.)

567. 1784, January 25.—31 Suffolk Street. Major Joseph McVeagh to J. R. Concerning a seat in Parliament.

568. 1784, January 27.—Lower Grosvenor Street. Lord North to J. R. Concerning—Fothergill. "I trust that you have too good opinion of my spirit and understanding to suppose that I can accept any civility from the present Treasury or from you upon this occasion . . ."

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. . . I do not desire any explanation of your conduct. You say that you had to choose between being my friend and my enemy, and you have chosen the latter course. Your option has necessarily determined mine" (This letter begins "Sir," instead of "Dear Robinson.")

569. 1784, January 28.—St. James's Place. R. Rigby to J. R. Complains of his treacherous conduct with regard to the representation of Harwich. J. R. had urged in excuse that he was trustee for the borough for every Treasury. He bids him remember this expression after the fall of the Ministry in the week to come. (Three sheets.)

570. 1784, January 30.—Hertford Street. C. Jenkinson to J. R. No pains should be spared to procure a full attendance in the House of Commons on Monday, when the opposition expect a majority of 16 on their motion for an address for the dismissal of the Ministry.

571. 1784, January 31.—Syon Hill. J. R. to R. Rigby. Justifies his own conduct. (Draft.)

572. Same day and place.—The same to Lord North. I must draw to your recollection the line which you laid down for me to follow when you went out of office, which was to inform, to assist, and to support his Majesty's Government, in whose hands soever it was, as far as it could be done with propriety and consistency. I have repeatedly explained the reasons why I could not follow the line you had taken in the East India Bill, although I did not vote against it. Read the letters which I wrote to you in February last. (Draft. Two sheets.)

573. Same day and place.—The same to Mrs. Broomfield. Concerning——Fothergill. (Draft.)

574. 1784, February 6.—London. C. Jenkinson to J. R. It is of the greatest importance to secure the largest possible attendance of members on Monday next. The Ministers continue very firm. The attendance of the Lords who went up yesterday with the address was greater than was ever known. Lord Mansfield was very temperate in his conversation yesterday evening.

575. 1784, February 6.—Hertford Street. The Earl of Sandwich to J. R. Concerning Mr. Poyntz.

576. 1784, February 12.—Memorandum by J. R. of Lord Oxford's application to Mr. Pitt on behalf of Mr. Wolfe.

577–584. 1784, February 17, 18, 20, 21, and 23.—Hertford Street. The Earl of Sandwich to J. R. Concerning Mr. Poyntz.

585. 1784, February 14.—Hertford Street. C. Jenkinson to J. R. "You may be assured that a certain person is firm, so that nothing will shake his resolution. I know also that his Ministers are firm and resolute at present, and I trust that they will continue so." They have in this respect exceeded my expectations. Lord Sandwich's conduct does not entitle him to a favour. We have his son. "I am assured that Mr. Fox was defeated to-day in Westminster Hall by 5 to 1. Others make the parties more even. It is clear however that Mr. Fox was forced to leave the Hall and to leave the other party in possession of it, and that he afterwards harangued the mob from one of the windows of the Kings Arms Tavern. He was then drawn in his chariot by a low mob of about 100 to Devonshire House, but what will astonish you is that Col. Stanhope, Mr. Hanger, and Mr. O'Byrne were on the coachbox, and that Mr. George North, Mr. Adam, and a third person, stood as footmen behind. How disgraceful! I am glad that, with the assistance of Mr. Beresford, you have made for Mr. P."



a state of the Irish House of Commons. I am sure he is much indebted to you for all your labours."

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586. 1784, February 24.—Fenchurch Street. R. Atkinson to J. R. Concerning the affairs of the East India Company.

587. 1784, February 26.—Same place. The same to the same. Appointment for a private meeting at Mr. Dundas's.

588. 1784, February 26.—Duke Street, Westminster. George Rose to J. R. Concerning affairs at Liverpool.

589, 590. 1784, March 8 and 9. The Earl of Sandwich to J. R. Concerning Mr. Poyntz.

591. 1784, March 10.—Fenchurch Street. R. Atkinson to J. R. Concerning Mr. Boehm, and various matters.

592. 1784, March 16.—Petersfield House. William Jolliffe to J. R.

593. 1784, March 20.—No. 13 Piccadilly (opposite to Lord William Gordon's Lodge in the Park). J. R. to Mr. Harbinger. Concerning the representation of Seaford. "Most private." (Copy.)

594. 1784, March 20.—Anthony Bacon to J. R.

595. 1784, March 23.—No. 31 Suffolk Street. Major Joseph McVeagh to J. R. Concerning his candidature for Parliament.

596. 1784, March 24.—Fenchurch Street. R. Atkinson to J. R. Concerning his candidature for Parliament.

597. 1784, March 24.—Copt Hall Court. Anthony Bacon to J. R.

598. 1784, March 26.—Colchester. Sir Edmund Affleck to J. R. Solicits assistance in his canvass.

599. 1784, March 29.—London. R. Atkinson to J. R. Concerning his candidature for Parliament. Encloses—

(A.) Copy of certificate by John Furrier, Fr. Baring, and William Greenwood, arbitrators between the Lords of the Treasury and Mr. Atkinson, that they are satisfied with the uprightness of his conduct relative to contracts for rum during the late war. March 29, 1784.

600. 1784, March 31.—The same to the same. "Nevill is returned for Seaford. In spite of newspapers and reports, depend upon it, I am safe for the City."

601. 1784, April 2.—Colchester. Sir E. Affleck to J. R. Thanks him for his assistance.

602. 1784, April 15.—London. R. Atkinson to J. R. Concerning the affairs of the East India Company. If we very much press Mr. Sullivan to take the chair, he will consent, though greatly against his own feelings. "The alternative he holds out is the leaving the present chairs in office, in order the better to explain the necessity of parliamentary regulation, and to look to Parliament for that purpose. Now you know that Sullivan cannot be requested to take the chair, nor supported in it if he had it; and therefore after all that we have done to support the honour and efficient character of the India Constitution, and after overturning a Ministry for invading it, Mr. Pitt is to be driven to the necessity of bringing forward a coercive regulation very similar in its principle to that of Mr. Fox, or else remaining a silent spectator of a scene of stupidity and inefficiency perhaps unparalleled in the history of any government, or else facing the topicks of declamation in the House of Commons." There will be difficulty in carrying the chairs for Baring and me, even with Sullivan's best assistance. "A

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single vote upon the present occasion may decide upon all the future system and fate of the Company. . . . Nothing new in my scrutiny." (Two sheets.)

603. 1784, April 17.—Same place. The same to the same.

604. 1784, April 18.—Addiscombe. C. Jenkinson to J. R. Expresses great pleasure at the results of the elections. Desires to see a state of the House of Commons. Declares himself curious to know the sentiments of North and Rigby, if they can be learned.

605. 1784, April 19.—London. R. Atkinson to J. R. We are all in confusion. The old gentleman [Sullivan] is immovable.

606. 1784, April 20.—Same place. The same to the same. "Sullivan stands in spite of all advice and opposition. . . . Eleven will be an equality. Supposing we were clear of Sullivan, Baring would have at least seventeen out of the twenty-two."

607. 1784, April 21.—Same place. The same to the same. We should have lost it by one. Having determined that Sullivan should never be trusted in the chair, we brought back the old chairs. "The advices from Bengal are distressing. Hastings on one side—Wheler, Macpherson, and Stables on the other other. Hastings *must* be recalled."

608. 1784, June 2.—London. Robert Drummond to J. R. Concerning a proposed reconciliation with R. Rigby.

609. 1784, June 5.—St. James's Place. R. Rigby to J. R. Invitation to dinner.

610. 1784, June 21.—House of Commons. R. Atkinson to J. R. Concerning the candidature of Mr. Thornton at Ipswich.

611. 1784, June 22.—R. Atkinson to J. R. Concerning the same. Postscript by William Pitt, dated at Downing Street on the same day, requesting J. R. to exert himself on behalf of Mr. Thornton.

612. 1784, June 24.—R. Atkinson to J. R. Concerning the affairs of the East India Company in Parliament.

613, 614. 1784, July 1 and 5.—The same to the same. Concerning the same.

615. 1784, July 30.—Fenchurch Street. The same to the same. Concerning the same. "We have fixed the dividend in the Committee to, night at 8 per cent., without either Fox or Eden making their appearance. They have unchained Burke, who raved like a Bedlamite for two hours."

616, 617. 1784, August 16 and 17.—The same to the same. Concerning the opposition of the Lord Chancellor to the bill for restoring forfeited estates.

618. 1784, August 19.—Kew. The King to J. R. Concerning his pecuniary relations with Lord North and Mr. Drummond in 1782. Expresses his thorough approbation of the honorable part acted by Mr. Robinson in the late critical times which, by the assistance of Providence, have wonderfully changed since the assembling of the new Parliament. Although he has "both public and private reasons to be displeased with Lord North," he does not wish conduct so shameful to be known further than to prevent Mr. Drummond's being a loser.

619—622. 1784, September 4, 22, 25, and 29.—R. Atkinson to J. R. Concerning the affairs of the East India Company, its state of funds, etc.

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623. 1784, October 3.—Addiscombe Place. C. Jenkinson to J. R. Observations on Mr. Dundas and Mr. Eden.

624. 1784, October 24.—Windsor. The King to J. R. Concerning his pecuniary relations with Mr. Drummond.

625. 1784, October 26.—Syon Hill. J. R. to the King. Concerning the same. (Draft.)

626. 1784, December 2.—Fenchurch Street. R. Atkinson to J. R.

627. 1784, December 7.—Addiscombe Place. C. Jenkinson to J. R. I incidentally saw Shelburne in Town, who told me his own tale. The notice taken of him was brought about by the Duke of Rutland. "I think I see that his Lordship is not pleased with Pitt, is very angry with Dundas, and that he will not himself be satisfied till he is once more got into office." I also saw Lord Gower, who said that there were to be no more changes. The Chancellor came here on Wednesday. He appeared dissatisfied, and knew less of what had lately happened than even I did. He was to see Mr. Pitt confidentially on Friday. "I have some confidence in the friendship of the Chancellor, but not in that of any of the rest. I do not choose to give up the game as yet entirely."

628. 1785, March 22.—Downing Street. W. Pitt to J. R. Acknowledges the receipt of papers about Parliamentary reform.

629. 1785, April 8.—Hertford Street. C. Jenkinson to J. R.

630. 1785, April 9.—Syon Hill. J. R. to William Pitt. During the recess I have revised the short minutes on the rise and progress of boroughs, basing them on Prynne's returns. When I was with you, you seemed desirous to give as clear and concise an account as could be, lest by detail you might tire the House. Precise statements given with your perspicuity will have the contrary tendency. This is a business that calls for minute detail to show the history of Parliamentary representation. I have talked with some of the gentlemen on the subject of reform, whose opinions you asked me to learn. I find them in general very much against meddling with it in any shape, fearing to open a door to confusion. Although they would vote against you with great reluctance, to induce them to accede even to bringing in a bill it must be stated that the bill proposes to be declaratory as well as remedial. The idea of voting a large sum of money to accumulate for the purpose of purchasing boroughs, as talked of, appears to be much disliked, and it will be greatly contested. It would be better that decayed boroughs should relinquish their rights, and receive from others that have increased in population and wealth such a sum of money as Parliament may assess. I did not venture to state any knowledge of your plan. Some gentlemen wish to propose an essential reform in the constitution of the House of Commons, by bringing in again the qualification bill which was offered a few sessions ago. (Copy. Four large pages.)

631. 1785, July 8.—Stangate Street. Francis Pierard to J. R. Encloses—

(A.) Long extracts from letters from Francis Pierard at Calcutta, dated in 1784.

632. 1785, December 6.—The Earl of Dartmouth to J. R. Concerning the voyage of Captain Pointing.

633. 1786, April 24.—Sion Hill. J. R. to F. Pierard. (Copy.)

634. 1786, December 28.—Calcutta. F. Pierard to J. R. Concerning appointments in India. (Two sheets.)

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635. 1787, January 24.—London. Lord Hawkesbury (C. Jenkinson) to J. R.

636. 1787, May 2.—Syon Hill. J. R. to Lord Hawkesbury. Concerning the votes likely to be given by different peers on the expected motion relative to the Prince of Wales. "Most private." (Draft.)

637. 1788, November 11.—A[ddiscombe] P[lace]. Lord Hawkesbury to J. R. "I think that the physicians assume too melancholy a tone. They suppose that a King must even in illness be as wise as Solomon, and that he must not be subject to delirium like other men."

638. 1789, January 9.—James Macpherson to J. R. "The Committee are at daggers-drawing, and have not, as yet, finished their report. . . . They speak of an application to the House for further powers." "Private."

639. 1789, January 9.—Brompton. Sir J. Macpherson to J. R. Concerning the King's illness, etc. "My own business of the India House is put off to Wednesday. Friends are cold and opponents obstinate. This is hard after saving to my country a million and two hundred thousand a year of expence." "Private."

640. 1789, January 10.—J. R. to Sir J. Macpherson. The reports of the surgeons and persons who sit up with his Majesty ought to be given in evidence. Advice about the Regency. "Most private." (Draft.)

641. 1789, January 18.—Brompton. Sir John Macpherson to J. R.

642. 1789, January 18.—James Macpherson to Sir John Macpherson. Encloses—

(A.) Summons to James Macpherson to attend in the House of Commons at 4 o'clock on the following day, an important division being expected.

643. 1789, January 19.—Brompton. Sir John Macpherson to J. R. "Private."

644. 1789, January 24.—James Macpherson to J. R. Tuesday will probably be "the great day."

645. 1789, January 26.—Brompton. Sir John Macpherson to J. R. "It is now said that the Ministers will agree to an address, and drop the Great Seal creation."

646. 1789, January 26.—James Macpherson to J. R. Parliamentary intelligence.

647. 1789, January 29.—The same to the same. "The Prince is to give his answer tomorrow at three. There are apprehensions of Burke's being in the Board of Controul. He insists upon it for the services and adherence of thirty years. If they will agree, all the fat will be in the fire. A hint to the P[rince] would prevent it, for I plainly see his object is to carry on business as smoothly as he can. But how to give the hint is the question. They have carried the question against Mr. Pitt in the Common Council. . . . I am told the [Prince's] answer is guarded but decisive—his *own* ideas. He has written a very proper letter—an ostensible one should the King recover—to the Queen. That also his own."

648. 1789, February 6.—The same to the same. "Private."

649. 1789, April 5.—Sir John Macpherson to J. R.

650. 1789, December 12.—Harwich. The same to the same.

651. 1790, January 28.—Colchester. Robert Thornton to J. R. Solicits his assistance in his canvass at Colchester.

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652. 1791, May 7.—Addiscombe Place. Lord Hawkesbury to J. R. Concerning the appointment of Mr. Dundas as Secretary of State. Copy of J. R.'s answer dated Syon Hill, May 8.

653. 1791, May 25.—A[ddiscombe] P[lace]. Lord Hawkesbury to J. R. Mr. P[itt] saw the D[uke] of G[rafton?] in private on Saturday, and I strongly suspect that the person whom his Grace is to succeed sold his vote in Hastings's business for the promise of a pension."

654. 1791, June 10.—Same place. The same to the same. "I have heard nothing yet from Mr. P[itt], extraordinary as it may appear. He cannot, I think, go from his engagement to call me to the Cabinet, as he has by letter announced it to Lord Chancellor."

655. 1794, August 25.—Putney Common. James Macpherson to J. R. Concerning Indian affairs.

656. 1794, September 6.—Same place. The same to the same. "Private."

657. 1794, October 24.—Belleville, N.B. The same to the same. Desires to know whether Parliament is to be dissolved. "Private."

658. 1795, March 23.—Putney Common. The same to the same. Concerning the Nabob, and Indian affairs. "Private."

659. 1795, April 5.—Same place. The same to the same. Concerning the same.

660, 661. 1795, April 27 and 28.—Same place. The same to the same.

662. 1795, June 15.—Same place. The same to the same.

663. 1796, March 30.—Wyke House, Isleworth. J. R. to Henry Dundas. Mentions the schism in the borough of Harwich. "Most private." (Draft.)

664. 1796 (endorsed 1797), April 16.—Dublin. J. Beresford to J. R. "Our session ended yesterday, much to the honor and credit of Lord Camden and Mr. Pelham. The publick business has been effectually done, without noise or parade, and the opposition so kept down that 16 was their highest numbers during the whole session. The wickedness of the late Administration, and the weakness of their principal, gave me much trouble as to my own particular situation and character. . . . I have completely triumphed over my enemies, who were obliged to acknowledge on their legs that there was not the smallest foundation for the scandalous reports which were industriously raised against me. . . . I should hope that the very numerous sacrifices which the laws have made, both in Dublin and on the circuits, would cool the zeal and madness of Presbyterian and Popish Republicans, at least for a time, but you may be assured that although the spirit may lie dormant, it still exists in the breasts of those sects."

665. 1796, December 12.—Brompton. Sir John Macpherson to J. R. Condolences on the death of Lady Abergavenny.

666. 1797, May.—Hertford Street. The Earl of Liverpool to J. R. Concerning the coinage.

667. 1799, June 26.—London. The same to the same.

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668—671. 1799, January 1, 25, 26, and February 13.—Sir John Macpherson to J. R.

672. 1799, March 9.—Hortford Street. The Earl of Liverpool to J. R. Concerning the appointment of his eldest son, Lord Hawkesbury, as Master of the Mint, and the studies of his second son.

673—675. 1799, April 1, May 1, and September 12.—Sir John Macpherson to J. R.

In another box are several bundles of papers and tabular statements showing the state of political parties in Parliament, and the probable results of general elections. A.D. 1772—1782.

Besides the above there are at Eridge Castle a number of official papers of John Robinson, relating chiefly to the affairs of the East India Company and those of the Borough of Harwich.

H. C. MAXWELL LYTE.

## THE MANUSCRIPTS OF G. F. LUTTRELL, ESQ., OF DUNSTER CASTLE.

(SECOND REPORT.)

MR. LUTTRELL'S  
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Soon after the appointment of this Commission, the late Mr. Horwood drew up a short account of the manuscripts at Dunster Castle, which was printed in the Appendix to the First Report. Since that time I have had occasion to examine them more carefully, and I have given many notes and extracts from them in a series of papers on "Dunster and its Lords," which have appeared in the "Archæological Journal." Independently, however, of those documents which illustrate the history of the families of Mohun and Luttrell, there are in the muniment-room at Dunster Castle some ancient deeds relating to other knightly families in the west of England, and a few manuscripts of more general interest. Of these I now subjoin a list.

Grant by Reginald Fitz-Urse (filius Ursi) to his brother Robert Fitz-Urse (Ursi filio) of a moiety of Williton (Gilletone), and of the house in which he was wont to dwell, with the whole enclosure (purprisio), before the Knights of the Temple to whom he has granted the other moiety of the vill in alms for the benefit of his soul. Witnesses:—Hugh de Moreville, Richard Brito, Gilbert Engaine, Walter de Penedhoc, Richard de Mustiers, William de Chocheleherge, Ralph par sa fei, Robert de Nottune, Ralph Passemer, Girard son of Reginald. (12th century. The first two witnesses were associated with the grantor in the murder of Archbishop Beket.)

Confirmation of the same by Henry II. Witnesses:—Saher de Quenci, Robert de Stutevill, Reginald de Pavilli. Fragment of Great Seal attached.

Charter of Savaric, Bishop of Bath and Glastonbury, granting to Robert Fitz-Urse and his heirs that every canon of the prebend of St. Decuman's shall cause a chaplain to reside in the vill of Williton (Wile-tone) and celebrate daily in the chapel, provided that the parishioners who are the men of the said Robert and of the brethren of the Temple

of Jerusalem shall do no prejudice to the mother church of St. Decuman's, and shall resort thereto on the greater festivals of the year. Witnesses:—Alexander, Dean of Wells, Master W. de Sancta Fide, Precentor of Wells, Thomas de Monteacuto, Treasurer of Wells, Herman de Wivelescombe, Master Nicholas de Lovariis, Sir Ralph Fitz-William, Simon Buzun, and two others named. Fragments of episcopal and capitular seals attached. [A.D. 1192–1205.]

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Charter of Robert de Curt', addressed to all his friends and men, French and English, clerks and laymen, future and present, confirming to Robert Fitz-Urse and his heirs the land of Sualeweclive which Reginald Fitz-Urse his brother gave to him, and the land of Williton which the said Reginald apportioned (divisit) to him, according to the charters of the said Reginald and of the King. He also ratifies an agreement made by himself on behalf of his wife Matilda, with the said Robert, concerning an exchange of land at Lokinges, etc. Witnesses:—Reginald de Curt', William de Curt', Geoffrey de Corneville, Thomas —, Richard Cotele, Geoffrey de Turberville, Ralph the clerk, William son of Geoffrey, Luke, Roger de Mai —, Robert de Brianne, Clement, Robert Chantrel, Hugh, Geoffrey de Wireville, Osbert —, William de Corneville, Hugh de Luffewic, Robert de Wittone, William de Holt, Geoffrey —, who made the charter. (It is almost certain that the surname Curt', which occurs several times in this deed, should be extended Courtenay. The grantor was clearly a person of high position, having property on both sides of the English Channel, and it was at Swallowcliff that William de Courtenay afterwards founded the Priory of Worspring. This deed then appears to be one of the earliest memorials of the English branch of the illustrious family of Courtenay.)

Agreement between Reginald de Mohun and John Bretasch and Engoretta de Roingny his wife, for an exchange of lands at Carhampton (Kareampton). 39 Henry III.

Grant by John de Mohun, lord of Dunster, to Simon le Baker and Joann his wife, of the land, garden, etc. in Carhampton, which he had of the grant of William de Mohun, son of Sir William de Mohun. 10 Edw. I.

Grant by William de Mohun of Carhampton, son of Sir William de Mohun, to Walter Trenchard, of a messuage at Carhampton, between the tenement of Sir Roger Perceval on the north, and the king's highway which leads to the church of St. Karentoo on the south. 5 Edw. II.

Grant by William Fitz-Urse and Lucy his wife to Thomas in Theburne and Agatha his wife, of a tenement, etc. at Theburne near Watchet. 2 Edw. I.

Assignment by Ralph Fitz-Urse to Elizabeth his daughter, of land at Withycombe (Wydecumbe) and Gildencote. 3 Edw. I.

Grant by John Fitz-Urse son of Ralph Fitz-Urse to Annora daughter of Alexander Luterell, of land, etc. in his manor of Williton.

Grant by Philip son and heir of Henry Pyck by Isabel his wife, to Ralph Fitz-Urse and Annora his wife, of the moiety of a burgage, etc. at Watchet. A.D. 1293. (Ralph Fitz-Urse and Annora his wife are parties to two other deeds of the 22<sup>nd</sup> and 34<sup>th</sup> years of Edward I.)

Grant by Simon de Meriet, lord of Withycombe, to John de Mohun lord of Dunster, of Andrew, son of Ralph de la Cumbe, his vassal (nativum meum), with all his following. Witnesses:—Sirs Warin de

MR. LUTTRELL'S MSS. **Raleye, John de Brutache, Philip de Cantilupe, knights, and four others named.**

Grant by Robert Martin, knight, by consent of Amy his mother-in-law (socre), to Geoffrey Dobel, of a messuage at Withycombe (Wydecumbe) in free marriage with Isabel de Boneville. 15 Edw. I. Heraldic seal attached.

Letter of attorney of Robert Martin, son of Sir Nicholas Martin, knight, to Hugh de Wollavington, chaplain, to give seisin to Edmund Martin his son, of lands at Withycombe, Cutcomb (Codecomb), and Watchet. 32 Edw. I.

Grant by John de Fitzurs, parson of the church of Brompton Ralph, to Edmund Martyn and Isabel his wife, of his third part of the manor of Withycombe (Wydecumbe). 3 Edw. III.

Grant by Ralph de Fizurs, knight, lord of Williton, to William Poyer, tucker, and Dionisia his wife and Cecilia their daughter, for the life of the survivor of them, of all the lands in Beredone which Richard de Beredone formerly held of him in villenage. 2 Edw. III. Fragment of seal attached.

Grant by Edmund son of Sir Robert Martyn to John de Fitzurs, parson of the church of Brompton Ralph, and William le Cras, parson of the church of Hawkridge (Hauckeregge), of lands, etc. at Withycombe, Cutcombe (Codecombe), and Watchet. Palm Sunday, 3 Edw. III.

Grant by John Alford of Williton, clerk, to Sir Ralph le Fizours, knight, lord of Williton, Sir Robert le Fizours, brother of the said Sir Ralph, Annora daughter of Sir John de Memburi, knight, Sir John de Pouldoune, chaplain, Ralph Darderne, John Ylebrouwere, and Hawis daughter of the said Sir Ralph [le Fizours], of a tenement, etc. at Williton. 9 Edw. III.

Grant by Ralph le Fizours and Matilda his wife to Hugh de Durburgh and Hawis le Fizours their eldest daughter and to the heirs of their bodies, of land, etc. at Withycombe and Carhampton. 18 Edw. III.

Release of the same by Matilda, relict of Ralph le Fizourz, knight.

Grant by Ralph le Fizours, knight, lord of Williton, to Sir John de Durburgh, knight, Hugh son of the said John, and Hawis wife of the said Hugh, James, son of the said Hugh, and William Dygon, of land, etc. in his borough of Watchet. 23 Edw. III.

Grant by Geoffrey Loni, vicar of St. Decuman's, and John Ilond, to John Fizours and Joan his wife in tail, of land between the two roads that lead from Watchet to Williton, with remainder to the commonalty of the borough of Watchet, for the sustenance of a chaplain celebrating in the chapel of the Holy Cross at Watchet, who in all his masses shall pray for the souls of William Fizours and Lucy his wife, John Fizours and Joan his wife and Annora and Joan their daughters, John de Trebourghe, Adam de Trebourghe and Cristina his wife, Ralph Fizours and William his son, Richard Fygere and Joan his wife, and all faithful departed. 43 Edw. III.

Confirmation by Hugh de Durburgh, son and heir of John de Durburgh, knight deceased, of a demise by his said father to Thomas atte Pole and Sabina his wife, and Elizabeth their daughter, of a tenement, etc. at Stogumber (Stokegomere). 33 Edw. III.

Grant by Geoffrey Loni, vicar of St. Decumans, to John Basynges and Joan his wife in tail, of lands, etc. at Kentsford (Camisford) in the parish of St. Decuman's, and in the parish of West Meon (Westmune) co. Hampton. 41 Edw. III.



Grant by William Powton and Richard Orchard to Gilbert Basynges and Agnes his wife, of lands, etc. at Kentsford and Watchet, and in the fee of Brompton Ralph. March 2, 2 Henry IV. MR. LUTTRELL'S  
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Deed of Gilbert Basynges making provision for his wife Agnes, and for the payment of his debts in the event of his dying in foreign parts. He mentions his lands, etc. in Canesford, Watchet, and Sampford Bret. 4 Henry V.

Grant by Richard atte Brygge of Wachet to Walter de Durreburgh and Margery his wife and John their son, of land, etc. at Watchet. 6 Edw. II.

Release by John de Mohun, lord of Dunster, to Sir John de Durburgh, Joan his wife, and Hugh their son, of all his right in certain lands at Carhampton. 23 Edw. III.

Grant by John de Ralegh of Netelcombe, knight, to Sir Hugh de Durburgh, knight, and Hawis his wife, of a tenement, etc. in Watchet, on the west side of the street called Swynstret. 38 Edw. III. Fragment of heraldic seal attached.

Grant by John Rogus to James Durburgh, son and heir of Hugh Durburgh, knight, of the manors of Heathfield, Stogumber, Preston, Almsworthy, and Withycombe. 2 Richard II. Heraldic seal attached.

Agreement between Hugh Durburgh, knight, and Robert Cheddre of Bristol, that James, son and heir of the said Hugh, shall take to wife Alice daughter of John Bathe, late burgess of Bristol, before Michaelmas next. Hugh undertakes to settle rents to the yearly value of 40*l.* out of his manors of Magor, near Chepstow, and Withycombe. Robert Cheddre undertakes to pay 350 marks to Hugh Durburgh, and 50 marks to James Durburgh for the chamber and apparel of his wife. Sept. 2, 3 Richard II.

Grant by James Durburgh and Alice his wife to Robert Pyppyng, Cristina his wife, and John their son, of a cottage at Withycombe. 11 Ric. II.

Release by James Durburgh to Ralph Durburgh his brother, of all his right in all the lands, etc. at Carhampton (Karampton) which Hugh Durburgh ever held. 10 Ric. II. Heraldic seal attached.

Agreement between Ralph Durburgh, esquire, and Alexander Anne and Alice his wife, relict of John Durburgh, concerning parts of the manors of Withycombe, Williton, Batheneston, Watchet, and Almsworthy, co. Somerset, and Magor, co. Gloucester, after an award by William Kynwoldesmersshè, Treasurer of England, and William Wenard, apprentice of the law. Feb. 13, 9 Henry V.

Grant by Ralph Durburgh to John Courtenay of Godenlegh, and Joan his wife and to her heirs for ever, of lands, etc. at Durburghes Cantock, co. Somerset. 8 Henry VI. Heraldic seal attached.

Agreement between John Courtenay, esquire, and Joan his wife, and Edward Grevyle, for a marriage between the said Edward and Isabel daughter and heir of the said John and Joan. July 8, 10 Henry VI.

Demise by Thomas St. Leger (Seynt leger), knight, Richard Pomeray, James St. Leger, Bartholomew St. Leger, and John Brokeman, esquires, to James Courtenay and Alice his wife, and Joan their daughter, of lands at Medecomb in the parish of Merwode. 20 Edw. IV. Seals attached.

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Grant by Alexander Hadley and Alice his wife, one of the daughters and heirs of Ralph Durburgh, to John Stokes, John Stoppyndon, Nicholas Wymbussh, clerks, and Thomas Morstede, of rents issuing from their manors of Williton and Watchet. 10 Henry VI.

Grant by Alexander Hadley to John Hadley his son, of all his lands, etc. at Stogursey (Stoke Cursey) and Bourton in the hundred of Cannington, which formerly belonged to Ralph Durburgh. August 23 35 Henry VI. Seal attached.

Letter of attorney of Thomas Kyngeston, for delivery of seisin of lands, etc. at Williton and Watchet, to Alexander Hadley and Alice his wife, with remainder to John Hadley their son and heir apparent. 2 Edw. IV.

Release by Elizabeth Hadley, gentlewoman, daughter of John Hadley, esquire deceased, to Richard Hadley her brother, of all her right in the manor of Withycombe. 7 Henry VIII. Seal attached.

Agreement between Christopher Mathew of the county of Glamorgan and of Morgannock in South Wales, esquire, and Richard Hadley of Withycombe, esquire, for a marriage between James Hadley son and heir apparent of the said Richard, and Frideswide, daughter of the said Christopher. Feb. 26. 8 Henry VIII.

Release by John Hadley, son of John Hadley, esquire deceased, to James Hadley, of all his right to land, etc. at Withycombe, under the will of his father. 17 Henry VIII.

Indented will of James Hadley of Withycombe, esquire, dated December 13, 19 Henry VIII. He makes mention of his mother *Phelippa*, his uncle John, his wife Elena, his eldest son James, and his other children Christopher, Richard, John, Alice, and Catharine, some of whom were the children of the said Elena, and some of a former wife.

Inquisition taken on the death of James Hadley, esquire, Oct. 6, 31 Henry VIII. Christopher his eldest son is twenty-two years of age and more.

Grant by Thomas de Hallesweye, son of Thomas de Hallesweye, to Walter Lucy son of John Lucy of Watchet, of a burgage at Watchet, etc. (13<sup>th</sup> century.)

Release by Robert de Lucy son and heir of Walter de Lucy to John de Brattone, of all his right in a burgage, etc. at Dunster. 8 Edw. III. Heraklic seal of Robert de Lucy attached.

Grant by Hamo de Basinges to his son William de Basinges, of all his land of Kentsford (Kanesford), rendering the service of a quarter of a knight's fee. Witnesses:—Sirs Ralph Fitz-Urse, and William le Britt, knights, Adam de Treberge, Nicholas de Sancto Decumano, John de Basinges, rector of the church of Chauberge, John de Tottesford, clerk, son of Philip de Tottesford. (13<sup>th</sup> century.)

Grant by Hubert de Frechenevill, son of Sir Ralph de Frechenevill, knight, to Alexander Loterell, son of Sir Andrew Loterell, knight, of all his land, etc. in the vill of Cullesworpe. (13<sup>th</sup> century.)

Grant by Simon Everard to William Everard his younger brother, of all his rents, services, etc. at Williton, in tail, with remainder to the grantor in tail, and to his brother Robert Everard in tail. 49 Edw. III.

Probate copy of the will of John Everard dated August 6, 1494. He desires to be buried in the parochial church of Carhampton, and he bequeaths a cow towards the fabric of the new seats in the said church.

He appoints his wife Isabel to be his executing and residuary legatee, MR. LUTTRELL'S  
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and John Hadley gentleman to be the overseer of his will.

Letter of Friar John, Minister of the House of Hounsflow of the Order of the Holy Trinity, etc. reciting divers privileges conferred on his order by several popes, and admitting Thomas Cooker and Joan his wife to the benefits thereof. A.D. 1506. On the back is a form of absolution.

A small roll of one membrane, giving a list of the Scottish knights who were taken or slain at the battle of Homildon Hill, A.D. 1402:—  
“ Les nouns des Contes, Seignurs, Barons, Banerettz, et Chivalers qui feurent prises et tuez a le Bataille de Homelden le iour de lexaltacion de la seinte Croix, lan du regne nostre tresredoute sire le Roy Henri, tierz, sanz les nouns des Esquiers et autres gentz qui feurent aussi prises occys et noiez a le Bataille suisdit.

#### Contes.

Le Mordyk de Fyff leisne filz au Duc Dalbaine.  
Le Conte de Douglas.  
Le Conte de Murree,  
Le Conte Dorkeney.  
Le Conte de Angos.  
Le Conte de Strathern.

#### Barons et Banerettz.

Le Sire de Gordon.  
Le Sire de Montgomery.  
Mons<sup>r</sup> Johan Levyingston, Sire de Kalendr.  
Mons<sup>r</sup> Johan Swynton.  
Mons<sup>r</sup> David Flemyng.  
Mons<sup>r</sup> Johan Styward de Endermeth.  
Mons<sup>r</sup> „ de Erskyn.  
Mons<sup>r</sup> James Douglas de Dalketh le filz.  
Mons<sup>r</sup> Johan le Seton le filz.  
Mons<sup>r</sup> George de Lessele.  
Mons<sup>r</sup> William Arth.  
Mons<sup>r</sup> Johan Lyon.  
Mons<sup>r</sup> Johan de Edmundeston.  
Le Sire de Heillys, Franceys.

#### Chivalers.

Mons<sup>r</sup> Robert Logan.  
Mons<sup>r</sup> William Douglas de Niddesdale.  
Mons<sup>r</sup> William Douglas de Strabrok.  
Mons<sup>r</sup> James Douglas de Aberdour.  
Mons<sup>r</sup> Alisandre Ramesey.  
Mons<sup>r</sup> William Preston.  
Mons<sup>r</sup> Archibald Edmundeston.  
Mons<sup>r</sup> William Hay.  
Mons<sup>r</sup> William Styward de Forest.  
Mons<sup>r</sup> Robert de Levyingston.  
Mons<sup>r</sup> Johan de Hamelton de Fyngalton.  
Mons<sup>r</sup> Johan de Hamelton leng[ne].  
Mons<sup>r</sup> Johan Moubray, Sire de Bernbogell.  
Mons<sup>r</sup> Fergos Donaldson.  
Mons<sup>r</sup> Thomas Malkolagh.

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Mons<sup>r</sup> Thomas Makkelagh.  
 Mons<sup>r</sup> Johan Styward le filz de Sire William Stiward de  
 Foreste.  
 Mons<sup>r</sup> Johan Glendenwyn.  
 Mons<sup>r</sup> Thomas Conyll.  
 Mons<sup>r</sup> William Morhede.  
 Mons<sup>r</sup> William Englys.  
 Mons<sup>r</sup> William Conyngham.  
 Mons<sup>r</sup> Hugh Walleys.  
 Mons<sup>r</sup> Thomas Somerville.  
 Mons<sup>r</sup> Johan de Cambele.  
 Mons<sup>r</sup> Thomas Kyrkepatryk.  
 Mons<sup>r</sup> William Synclare.  
 Mons<sup>r</sup> Johan Syward.  
 Mons<sup>r</sup> Roger Wygemore.  
 Mons<sup>r</sup> William Monypeny le filz et heir.  
 Mons<sup>r</sup> William Arth.  
 Mons<sup>r</sup> Johan Sybaldby.  
 Mons<sup>r</sup> Wautier Scot.  
 Mons<sup>r</sup> William Crouforth.  
 Mons<sup>r</sup> Robert Erskyn, filz et heir.  
 Mons<sup>r</sup> Thomas Erskyn.  
 Mons<sup>r</sup> William Erskyn.  
 Mons<sup>r</sup> William Dalyell.  
 Mons<sup>r</sup> „ Dalyell le filz.  
 Mons<sup>r</sup> Robert Styward de Endermeth.  
 Mons<sup>r</sup> Patryk de Levyngton.  
 Mons<sup>r</sup> William de Akenhed.  
 Mons<sup>r</sup> William de Abernetthe.  
 Mons<sup>r</sup> William Gledestanes.  
 Mons<sup>r</sup> Car de Semelston.  
 Mons<sup>r</sup> Wautier de Boghanan.  
 Mons<sup>r</sup> William Hamelton.  
 Mons<sup>r</sup> Johan Dromonde.  
 Mons<sup>r</sup> Robert Lyle.  
 Mons<sup>r</sup> Thomas Carr.  
 Mons<sup>r</sup> William Menteth.  
 Mons<sup>r</sup> Adam Forester.  
 Mons<sup>r</sup> Johan Forester le filz.  
 Mons<sup>r</sup> Wautier Bykerton.  
 Mons<sup>r</sup> Jaket de Haplee } Franceys.  
 Mons<sup>r</sup> Piers de Haresy }  
 Mons<sup>r</sup> Johan Danyel leisme.  
 Mons<sup>r</sup> Johan Chattaw.  
 Mons<sup>r</sup> Archibald Stiward de Endirmeth.  
 Mons<sup>r</sup> Johan Howden.  
 Mons<sup>r</sup> Laurence Ramensay.  
 Mons<sup>r</sup> Johan Lyndesay de Walghopp.  
 Mons<sup>r</sup> Aleyn de Carthcarte.  
 Mons<sup>r</sup> Johan Senclare.  
 Mons<sup>r</sup> Johan le Blare."

Documents relating to the election of successive Priors of Bruton. Six of them have impressions of the conventual seal attached. They give a continuous list of the Priors for nearly three hundred years:—

Stephen de Kari.

1255. William de Sancto Edwardo.

1255. William called le Sheftysbery (probably identical. MR. LUTTRELL'S MSS.  
with the foregoing).  
1267. William de Deverell.  
1270. Stephen de Carevyle.  
1274. John de Gryndenham.  
1298. Richard de la Grave.  
1308. Walter de Legh.  
1334. Robert de Coker.  
1361. Richard Cokkynge.  
1396. John Cosham.  
1418. John Schoyle.  
1429. Richard Glastenbury.  
1448. John Henton.  
1495. William Gilbert, Bachelor of Theology.  
1532. John Elye.

Petition of the inhabitants of Minehead to Queen Elizabeth. They state that from time out of mind a pier, or quay, has been maintained by them "agaynst the grett see," to their yearly charge of 50*l.* or more, always levied upon such shipping and "traffike" as belonged to their town; that by reason of sundry wars their ships are now few, and the pier is now so decayed that, if speedy redress be not had, no ship or boat will be able to take succour there, to the great annoyance of that west part of Somerset, and of Devonshire, and Cornwall, and the decay of an ancient and daily passage from the parts of Glamorgan, by means of which the fairs and markets of the said counties are furnished with cattle, sheep, wool, yarns, cloth, butter, stones, coal, oysters, salmon, and other kinds of fish and flesh. They anticipate the destruction of such ships as shall happen to be in that part of the Severn in stormy weather, and the displacement of a hundred seafaring men from their houses, and the utter undoing of the petitioners. They therefore pray for the grant of a [charter for a] borough, port-reeve, and burgesses. They desire that they may choose a new port-reeve yearly, and that no persons, save such as shall be burgesses and shall bear their portion towards the charges of the said pier, shall sell any kind of merchandise, except victuals, coming from any outward parts until twenty-one days after their arrival within the said pier, or road, of Minehead. They furthermore desire that the port-reeve and the burgesses shall have authority to make such orders as be beneficial for the said pier. (Copy.)

Depositions in support of the foregoing petition. It is stated that if the pier at Minehead be not made new before Michaelmas next, "the same is not to be recoveryd and made wythowt the charges of a prynce."

February 4, 1564. Resolution by eleven burgesses of Minehead that Mr. Thomas Luttrell shall be the principal burges of that town.

July 1570. Circular letter from Thomas Luttrell of Dunster Castle, asking for the assistance of his good friends and "welwillers" in making a new quay, or pier, at Minehead. He desires to make such a harbour as there is not the like of in the west part of England. The bearers of his letters have also testimony under the seal of the town of Minehead that they are appointed collectors for the same. (Copy.)

"An old rate of the weare dewties at Mynhead 37<sup>o</sup> Eliz. renovat' as hath byn paied tyme out of mynde for and towards the mayn-

Mr. LUTTRELL'S  
MSS.

tenaunce of the port or weare of Mynhead, called by the name of wearieg to be paid for comming and going to and from the sayd port or to any other creeke belonging of right unto the lorde of the mannors of Mynhead and Dunster." Among the items are the following :—

For every barrell of herrings, 1*d*. For every "meaze" of red herrings, ½*d*. For every hundred of hake, 2*d*. For every "burder" of white fish, 1*d*. For every hogshhead of salmon, 2*d*. For every tun of wine coming from France, 4*d*. For every tun of wine coming from Andalusia, 6*d*. For every tun of sweet wine, 6*d*.

"Reasons why the Towne of Mynhed should not be incorporated by Her Majesty." It is stated that the town of Minehead was better governed before the granting of the corporation which is now forfeited in law than it is now; that the magistrates and burgesses, of whom the corporation consists, are but simple and rude handicraftsmen who are fitter to be governed than to govern others, and that by their misgovernment there have been many affrays in that town, and some murders in Dunster; that there are twenty-three persons (besides a tavern there) licensed by the port-reeve to be "tiplers," of whom two only are fit or able to give entertainments; that the town is much "depopulated" since the granting of incorporation; that the weekly market is altogether decayed since the granting of incorporation; that whereas there was a very ancient and good harbour having thirty or forty barks and boats, there are now only five; that the whole manor and town of Minehead, with the liberties and franchises thereof, is the inheritance of George Luttrell, Esq., Justice of the Peace, who has, within the last two years, at his own expense begun to make a new harbour there on a far fitter plan than the former, and about 300 paces from the former, wherein he has bestowed 600*l*., besides 200*l*. or thereabouts collected by his means from his friends and tenants, the finishing of which will cost him very near 1000*l*. more; that the said harbour when finished will be able to receive her Majesty's ships, and will be the fittest in all the west for transporting seldiers, munitions, and victuals into Ireland, and is the common passage of all commodities from Wales to the counties of Somerset, Devon, and Cornwall, and from them to Wales, and that it will be a great succour to the ports of Bristol and Bridgewater; that her Majesty's customs will be greatly increased by the maintenance of the said harbour; that divers Justices of the Peace of the County of Somerset, and the principal burgesses of Minehead have, by petition to the Privy Council, desired the suppression of the corporation; that certain burgesses have, by virtue of the incorporation, engrossed some commodities brought by sea to the said town, in order to sell them at excessive prices; that the town of Minehead has no lands or other profits belonging to it, in right of its incorporation, whereby it may be maintained, and that it is unable to maintain the harbour without the aid of Mr. Luttrell; that the port reeve and burgesses have, by permission of Mr. Luttrell, taken the duties of the harbour for fourteen years towards the repair thereof, but that they have suffered it to decay, converting the profits to their own private use.

Petition of the gentlemen, merchants, traders, and principal inhabitants of Minehead. They state that Queen Elizabeth, by letters patent dated the 10<sup>th</sup> of October in the first year of her reign, incorporated the borough by the name of the Port-reeve and Burgesses of the Borough of Minehead, upon proviso that the grant should be void if they should at any time fail to keep in repair the port and harbour of Mine-

head; that the inhabitants were so impoverished by the long wars between England and Spain in the reign of Elizabeth that they were not able to keep the port in repair, and that thereupon the letters patent became forfeited; that by the aid of several Acts of Parliament the port has since been kept in good repair; that trade has of late years flourished in the said borough which has become very populous; that the borough suffers extremely for want of a reasonable power within themselves to compel strangers resorting thither to pay their debts before their departure. They therefore pray that the charter granted by Elizabeth may be restored to them, so far as it relates to the good government of the borough. (Copy.)

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December 16, 1716. Order made at the Court of St. James's that the foregoing petition be referred to the Attorney-General for examination. (Copy.)

"Heads humbly offered by the gentlemen, merchants, traders, and principall inhabitants of the borough and antient port of Minehead in the county of Somersett, for a new charter." They suggest the appointment of a Port-reeve and Coroner, a Recorder and Senior Capital Burgess, twelve Capital Burgesses, a Steward, and a Serjeant-at-Mace, bailiff, and keeper of the gaol. (A.D. 1716 or 1717.)

"An account of the expences of Edward Cleeve, Keeper of the Prison at Ivelchester in the yeare of Sir John Trevelyan, Bart, late Sheriffe of the county aforesaid. Anno Domini 1704 and 1705." The following are among the charges:—"Carryeing 13 prisoners from Ivelchester to Taunton assizes, being great rogues, and gardsmen's charges 2*l.* 19*s.* 3*d.* Burning in the cheek John Taylor and Edward Follett, 13*s.* 4*d.* Richard Wiccary hanged, 1*l.* 6*s.* 8*d.* John Bridgment whipt, 6*s.* 8*d.* Mary Webber put in pillory, 13*s.* 4*d.*"

A true copy of the circular letter of John Speke, Esq<sup>r</sup>, to the freeholders of the county of Somerset, on behalf of his son.

Sir. This is to desier you to know that my son, George Speke, Esq<sup>r</sup>, does stand for Parliament man for this county at the request of severall freeholders of Bristoll, Milborne Port, and other places, and severall Dukes, Erles, and Lords of the King's Majesty's Court above have sent down to the stewards in the countrey to make interest for my son George Speke, Esq<sup>r</sup>. Now this is to desier you to know that there is one S<sup>r</sup> William Wyndham that they say does design to sett up likewise, but this S<sup>r</sup> William was lately turned out of a very profitable place at Court, for he was very intimate with one Lord Bollenbrook, who had a hand in making the base and scandalouse peace, and was turned out of his place even before the King's Majesty came over. Had they not made that peace, we had had but some towns before we had gotten to the gates of Parris. Sir, your interest and vote is desierd for my son George Speke, Esq<sup>r</sup>." [A.D. 1714.]

Letters from Charles Blake to John Fownes Luttrell, Esq<sup>r</sup>, dated respectively, Quebec, Nov. 17, 1776; La Chine, nine miles above Montreal, June 22, 1777; and Montreal, Sept. 19, 1777. They describe in detail the military operations in Canada.

H. C. MAXWELL LYTE.

## REPORT ON THE MANUSCRIPTS OF PHILIP PLEYDELL BOUVERIE, ESQ.

MR. BOUVERIE'S  
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Some papers formerly belonging to John Pym, the great Parliamentary leader, were presented to the British Museum in 1840, by his descendant the late Hon. P. P. Bouverie. Others, however, still remain at his seat, Brymore, near Bridgewater. I append abstracts of the most important of these, and of other documents in the same collection.

1544, December 26. Greenwich.—The Lords of the Council to the Archbishop of Canterbury. The King has been credibly advertised that the French King is preparing sundry great armies, wherewith to molest his Majesty and his subjects in sundry places. His Highness is therefore enforced to prepare like force by land and by sea, the charge whereof are so "importable" that it is more than requisite that he should be speedily "answered of suche sommes of money as be due to hym." Although the tenth and subsidy of the clergy now due to him at Christmas is not yet so soon payable, he doubts not that the clergy will be content to "prevent" the day of their payment. He therefore desires that the money should be paid to the Archbishop's ministers before the 15th of January, and by them to the Court of the Tenth and First Fruits before the end of the month. (Copy.)

[1544.] December 27. Lambeth.—T. [Cranmer] Archbishop of Canterbury to Peter Hayman and Thomas Hales. *Encloses copy of letter received from the Council this day concerning the tenth and subsidy money due by the clergy of his diocese, and desires them to proceed speedily in the matter. Signature and heraldic seal.*

[1545?] St. John's Day. London.—Peter Hayman to Thomas Hale at Canyngton. I was imprisoned on Saturday last for 40*l.*, and to day I had been sent to the Fleet but only that my Lord Chancellor, at great suit, has given me some days' "respect." I owed not 20*l.* Since my coming up, I have paid above 280*l.*

N.D. The same to the same, concerning money due.

A small note-book, unbound, entitled "Memorable Accidents." It contains brief biographical and historical notes by John Pym, written continuously down to the year 1618, and a few of later date. Some of them relate to well-known public events, and others to the births and deaths of the writer's nearest relations, but there are others again that seem to deserve mention in this report.

"A.D. 1591. My father died at Oxford."

"A.D. 1596. My mother died at Morton in Marsh."

"A.D. 1602. The Kinge was proclaimed upon our Lady-day at Oxford by my Lorde Norris."

"A.D. 1604. There was a great plague at London, wherof there died 2,000 a weeke, so that the Kinge kept his courts at Wilton by Salisbury, the Queene and Prince Henry and Duke Charles. The term was kept at Winchester because of the plague at London, where my Lord Cobham, Sir Walter Raleigh and others were arraigned for treason. I lived then at Salisbury because the plague was at Oxforde."

"A.D. 1605. I returned to Oxforde and there lived about the space of a yeare in studyes. The King and Queene came to Oxforde, and by



at Christchurch, where there were playes, Latin and English, the Prince Henry at Magdalen Colledge, where there were likewise playes and orations. There was an Acte kepte in St. Maryes."

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"A.D. 1606. I went into Somersetshire where, having a dangerous fall, I lived about halfe a yeare."

"A.D. 1607. I went to London and was admitted into the Innes of Courte, the Middle Temple, where I remember the tresurer, a grave man, for my uncle William Ayshcombe's sake abated me 20*l*. in my admittance, saying—We must nourishe the line of good studentes."

"A.D. 1608. I fell upon a dangerous rocke, a false frende, and through his perswasions ranne into many inconveniences and expencesfull courses. My brother dyed upon Fridaye morning about foure of the clocke at the end of Michaelas terme. I lived in Milforde Lane amongst the wilde beastes, etc. I proved a warde and was betrayed by my frend whome I will forget to name. I was drawne by him into a project of water workes. I lent to the projector about 400*l*., and spent in and about the busines I know not what, but I knowe that it was all lost. I was much importuned to marry my Lady Garrardes daughter of Dorney by Windser, Mrs. Martha Garrard, a fine gentlewomen truly. I sawe her and no more."

"A.D. 1609. I was drawn by my frend into a busines of one Mr. Lees of weaving silke stockinges, wherupon I layd downe 140*l*. besides what I spent about it. I received of the Venetian Ambassador forty poundes for it; all the rest I lost. I was importuned to see a brave spirited gentlewomen named Mrs. Kate Howarde, beinge one of the two daughters and heyres of the Viscount Bindon's brother. I saw her not far from Bath, was earnestly solicited to proceede; being halfe afraid of the greatnes of her spirit, I did not. Shee was since more worthily bestowed, and she was most worthy so to be. I did hazarde myselfe twice or thrise for the defense of my frend aforesaid.

"A.D. 1610. I did redeeme my wardships by the assistance of my cozen R. J. and my cozen J. Bl., and then I did shake of my sharking comrades. I was wished unto a fine gentlewomen. I saw her, upon further acquaintance I disliked, and did not proceed. I sued my uncle Oliver Ayshcombe and my cozen his eldest sonne for my house and land at Ashampsted in Berkes in the Courte of Wardes. Upon my information they came in and compounded, and I did enjoy the land. My Lorde Wharton's eldest sonne and Sir [James] Stewarte killed each other by Islington by London. Mr. George Carewe a freind and an old acquaintance of mine was killed by one Mr. Deane at Thistleworth" (Isleworth).

"A.D. 1611. . . . Sir John Spencer the Alderman died. My Lord Compton havinge maryed his only daughter oppressed with the greatnes of his sudaine fortunes fell madde. The Erle of Suffolke havinge begd the keeping of him would have seized upon his money and jewelles at Islington; my Lord Compton's mother the Countesse of Dorset playenge the valiant virago, withstood him, and he was therby defeated; my Lorde Compton, being kept in the towre a little while, recovered. The Erle of Suffolk married in one day three daughters, the elder to the Lord Knowles, another to the Erle of Essex, the third to the yonge Erle of Salisbury. These t[w]o last to be referred to the year 1609." (The date of the marriage of the Earl of Salisbury, is given in Collins's "*Peerage*" as December 1, 1608. Mr. Gardiner has given his reasons for believing that the Earl of Essex claimed his young bride "shortly after Christmas, 1609." "*History of England*," vol. ii. p. 167.)

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"I was credibly informed by his stewarde Mr. P. that my Lord Compton at the first comminge to his great estate after the death of Sir John Spencer did within lesse then 8 weekes spende 72,000*l.*, most in great horses, rich saddles, and playe."

A.D. 1612. Sir Thomas Overbury was "mortally maliced" by the Countess of Essex.

"A.D. 1613. I seeing so much wickednes in the world and so much casualty among men, thought good to chuse out a companion for me: an honest course and tooke a wife."

A.D. 1614. "Sir Edward Sackvill brother to the Erle of Dorset killed the Lorde Bruse beyond the seas in single fight. The Erle of Montgomery was lasht with a riding rod by one Mr. Ramsey a Scotchman, but I think twas taken up by the King, and the Erle well rewarded by the King for his patience. The Ladye Honoria daughter and heire of the Lord Denny and wife to the Lord Hayes (*sic*), cominge in her coach out of the towne somewhat late either from a masque or from supper about Ludgate Hill had a very rich jewell pulled violently from hir forehead by a fellowe, who was presently taken, and although shee was an earnest suiter to the Kinge for him, was hanged for it in Fleet Streete; shee beinge great with childe and by reason of the sodaine fright miscarrying dyed about a weeke after. Sir Roger Owen, a fine gentleman, good scholler, a great speaker in the parliament house, fell madde at London, and shortly after dyed. . . . Sir Edward Philipps, Master of the Rolles, the Kinge having killed a very fat bucke at Wansteed (the report went) sayd to the King—I hope your Majesty and I shall live to kill many more here as fat as this, the Kinge answeringe him in contempt—Yes, you and I, the good old man tooke it so to the heart that he died shortly after. Sir William Wade, Lieutenant of the Towre, put out of his place."

"A.D. 1614. Mr. Richard Martin, beinge made Recorder of London, and havinge bine suspected heretofore of the murder of one Mr. Ferrers (the fame went) that one of Mr. Ferrers' sisters, whether the Lady Somerfeld or other, should saye—God forbid that ever he should sit upon bloud before he hath paid the price of bloud himselfe; but it seemes the Recorder goinge to the recett [of the] Venetian Ambassador drank somewhat deepe with him in theyr strange kinde of drinke, and therof sur-fettinge presently after dyed, never keeping any sessions, which are every three weeke . . . Sir Henry Nevill standinge for the place of Secretary to the Councell and missing of it, tooke it so to the harte that he shortly after died."

"The Lord Clyfton havinge maryed his daughter to the Viscount D'Aubigny, since Earl of Marche, who was at lawe with him for his landes, and being put into [the] Fleete, did or would have cut his own throate. Yong Sir Thomas Sherley being in the Fleete for debt attempted to poyson himselfe."

[A.D. 1616.] "The Lorde Boyle made a Baron, who (they say) not above sixteene years afore, being a poore fellowe and in prison at Monster in Ireland, borrowed sixpence, and now hath a great estate 12,000*l.* yearly of Irish land."

"Mr. Palmer sent a challenge to the Erle of Sussex by Mr. Manwaringe and L. Huntley and others being with him upon St. George's daye as he was going to the tilte yearde; he received it; the busines was hearde before the Councell and there argued by the haroldes, and agreed upon that a gentleman of three descents might challenge an Erle and he was bound upon point of honour to answer him, but because this was done upon St. George's daye when the Erle was as it were a cor-

panion to the Kinge, therfor Mr. Palmer was put into the towre, and MR. BOUVIER'S MSS.  
I think fined 300*l*."

A.D. 1618. Sir Walter Raleigh "had the favour to be beheaded at Westminster, where he dyed with great applause of the beholders, most constantly, most christianly, most religiously."

Later in the book are notes of various commercial projects.

1630. A sheet of accounts in the hand of John Pym, relating to the Isle of Providence. The receipts amount to 1,355*l*. 6*s*., among which are payments by the Earl of Warwick, Mr. St. John, Lord Brooke, Sir Benjamin Rudyerd, and others, for their "adventures." The charges are mostly for arms, ammunition, and provisions. A copy of Purchas's "*Pilgrimages*" cost 2*l*. 14*s*. 6*d*., and "6 dozen Catechismes bought for the plantation" cost 12*s*.

N.D. John Pym to John Akehurst. Instructions as to the management of Estates in Somers Island with particulars as to leases already granted. (Draft.)

1633, October 23. Island of Providence.—William Rudyerd, William Rons, Roger Floyd and John Brigham, to [John Pym?]. We do not find here the largeness that was reported. At the arrival of the Seaflower, the country was furnished with an overplus of provisions for the number of persons here. In October following, the new-comers had a crop of corn. In that month eighty more came from Bermuda, who had been dissuaded by the seamen from bringing provisions. Although they had felled a great quantity of ground by the end of November, and planted it with corn, the dry season came on so fast that little of it came to good. These Bermudans (Baremoodyans) had little help of the provision of store which was spent in the fruitless work of Warwick Fort. Thus many have endured great hardness. The island is full of hills and not so fertile as was reported. At New Westminster, and where Capt. Axe lives, the ground has this year twice failed in corn. This allotment of two acres a head will no more than find food. Even if tobacco were as vendible as ever, the quantities from here would never cloy the market. The tobacco that can be made between January and August may be as good as that of any country out of the Indies, if we observe the Spaniards' course of keeping it a year before sending it home. The worms eat our rafters, and the dust falling on our tobacco hinders the burning, and makes the taste bitter. Most men will have plantains and papawes in their season. Pines, orange trees, and lime trees grow, but do not bear. Potatoes are the most thriving and certain food we have. Fortification goes on slowly, and we are environed with enemies. From Fort Henry on the South West to Fort Warwick on the North East, a distance of seven miles, the land is inhabited. The 29 pieces of ordnance here, if fitly placed, would free the West side. The North side is not inhabited, and it is partly defended by breakers. 20 pieces of ordnance are requisite for its defence. In the harbour there is good riding for twenty ships. Whatever others may relate, this is the truth.

1640, December 21. Speech of John, Lord Finch, Lord Keeper of the Great Seal, made in the House of Commons. (Printed in the "*Parliamentary History*.")

1641, April 29. [London.]—Sir Thomas Peyton [M.P. for Sandwich] to Robert Hales. The London petition for expedition of justice has been transmitted by us to the Lords, "with a special enforcement of our own," upon which they have read the Bill of Attainder twice.

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They have appointed Thursday to hear our counsel. The Court of the President and Council at York is voted illegal. We have spent three days in debating how to raise money that all armies may be disbanded this month. By the 16th of May we shall owe 200,000*l.* above the stock of our six subsidies. If this sum can be had for the present any where, it will be charged upon the rich men, at the rate of 5*s.* for every 100*l.* of land, and none under 100*l.* per annum to be charged. This will come to a mighty sum. But this is not yet the final resolution of the House. If used, it must not be repeated, for a second or third tax like this would drink up all the treasure of the Kingdom. The King has told us that the Papists will be disarmed according to law. Because all things are in an ill condition and nothing has yet succeeded according to the hope and expectation of men, we are about to have a second fast.

1641, October 5. Marshalsea of the Four Courts in Dublin. Gabriel Jennings to John Pym. Complaints at great length of his arbitrary imprisonment at Westminster and at Dublin.

1641, December 6. Sir William Balfour to John Pym. "Give me leave to arreast your noble promise of endeavour on my behalfe that I may receive these severall moneyes due unto me viz.

For sex monethes pay due to my selfe as Commissary and Capten of a troupe in Irland, 470*l.* 8*s.*

For two monethes for my troupe there by way of advance, other wyse it will bee impossible for that troupe to subsist, I not being present in person to relieve them, as other Captains are, 501*l.* 12*s.*

There is also due unto me since I was Lieutenant of the Towre (as appeareth by the quarter books signed by sex of the Lords and Sir Robert Pye) the summe of 1,173*l.* for my owne ordinary fees, the dyett of prisoners, and other necessary disbursements for one yeare and 3 quarters ended at Christmas 1641, whereof 823*l.* appeareth by the said bookes to be moneyes disbursed by mee, I say due in all, 1,173*l.*

More due to me 56*l.* which I did disburse by direction of the house of the Lords, during the tyme of the Erle Straffords committall, for intertynement of a company of souldiers at 8*d.* per diem, who were appoynted to watch in the Towre some weekes before his death. I say 56*l.*"

1642, September 21. Shrewsbury.—Sir Edward Nicholas to Sir William Boswell, Resident at the Hague. His Majesty arrived here yesternight, the High Sheriff, Sir John Weild attending him from Wellington with a train of thirty-four liveries. He was received near this town by three fair foot companies of the trained bands and a hundred horse, afterwards by the Mayor, Aldermen, and liveries, all ranked in a very comely manner, they and all the people shouting with great joy throughout the whole town to the Court-gates. After his Majesty there entered the Banner Royal at the head of the Lord General's regiment, then the cannon, munition, and six foot regiments more, which are quartered about the town.

Sir John Byron with 300 foot and 150 horse defends the city of Worcester against divers forces under Mr. Nathaniel Fiennes and others, whom he has put to flight and loss, without any at all of ours. We now hear that they have retired far away in great haste upon news of the approach of some of our horse and dragoons. The arms and munitions that came last to Newcastle are now at Chester, and will be employed as soon as they arrive here. Plenty of men come in daily to serve, insomuch that his Majesty's army increases beyond imagination. Yet Lord Strange and divers Welsh regiments are not yet come up to join us, making about 5,000.

The Lord Lieutenant of Ireland had his instructions and full despatch from his Majesty at Stafford on Sunday last, where he took leave. He is gone to London about some particular affairs of his own, and from thence he is to go "in diligence" to his charge. Our army there is much disheartened at getting no supply of necessaries from London. We are in hourly expectation of the Queen's arrival at Newcastle. The Duke of Richmond and the Earl of Newport are gone thither. I hear that my letters written to you from Derby on Wednesday last have been intercepted, and that they are to be printed. Mr. Glyn is to make a comment on them. "I know not how my actions may be misinterpreted or my words misconstrued, but I sure there is no man to my power hath more seriously endeavoured and more hartily prayed for peace and a happy accomodation than I have done. But this I must say, that I had rather perish in the King's cause, if God for our sinnes shall bring us to the worst of extreames, then prosper by taking arms against God's anoynted." Heraldic seal.

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[1642?] October 6. Derby House.—The Earl of Northumberland and the Earl of Loudoun to——. The King having marched towards Newark with all his forces, it is necessary that he should be followed, to prevent the plunder of the country and to hinder his recruits. The taking of Chester is also a matter "of very great concernement." We have appointed Col. General Poyntz to follow the King, and we desire you to march to Chester to endeavour to reduce that place, and to receive orders for that purpose from Col. Jones.

[1642?] ——— to the Earl of Northumberland and the Earl of Loudoun. According to your command of the 6th inst., I have appointed the officers of the few scattered and broken troops who have marched with me to receive their orders from Lieut. Col. Jones. By the many wounds I have lately received I am at present altogether impotent, and unfit to judge whether I shall ever be able to serve you. I hope the committee will not permit me to endure overmuch the vexation of other men's commands, and to be undervalued in my own. (Copies on one sheet.)

[1642.] October 7. Worcester.—Viscount Mandeville to John Pym. I fully agree with your way, in having some of us to quit our commands to Scotch commanders who will be more useful. If you were here with us, you would find it of absolute necessity. I have not yet consulted with our General about it, but I sent him your letter and the note of the commanders, and I intend to speak with him about it to-morrow. We are still at Worcester, watching what the King will do. It is rumoured that he will march towards London on Monday next. Others think that he will advance towards us, which may be probable, because he has sent 2,000 foot into Bridgnorth. I pray haste down the Scotch commanders. There is some suspicion that our artillerymen are not as they should be. If this prove a truth, we are but in ill condition for action.

1642, October 18. (N.S.)—Memorial presented to the States General of the United Netherlands by Walter Strickland, Envoy from the English Parliament. He mentions the friendship subsisting between the two countries, and complains that soldiers and arms are being sent over to England without permission. (French.)

Declaration by the States General that they wish to adhere to their intention to remain neutral, and that they will again write to the different boards (*colleges*) of the Admiralty to forbid the issue of arms and ammunition. (Dutch.)

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1642, October 15. Cork.—William Jephson to his cousin John Pym. We are now brought to the last pinch of being able to subsist, and if you be not active for us in Parliament, the business must necessarily perish. Nothing in the world is to me so sad a spectacle as to see those soldiers now in rags, languishing for want of natural food, whom I lately saw behave so gallantly in the field that all the officers wished them in scarlet. A good part of the harvest is saved round about us, but it will not suffice to relieve the very poor, stripped by the rebels, and sent in for the protection of our charity. We should have perished long ago if we had not been very active. Our success in the field has been beyond imagination. We have now desired, in our letter to the Speaker, that a regiment of dragoons may be levied for this service. You cannot do Lord Inchiquin justice for his activity and engagement of himself so freely against his countrymen for the maintenance of the cause of religion. He is desirous that Capt<sup>n</sup> Min and Capt<sup>n</sup> Chudleigh should be his field-officers, which we all wish. Ever since I came over, I have been authorised first by the Lord President, and since by the Vice-President, to execute the place of Major of the horse. I hope my friends will not let me suffer an affront by Lord Leicester's "averseness to me," which I never deserved. Capt. Chudleigh is well able to inform you of the state of this province. Heraldic seal.

1642, October 18. Worcester.—The Earl of Bedford, Viscount Mandeville, Lord Wharton, Lord Brooke, Denzell Holles, and three others, to the Committee for the Safety of the Kingdom. In obedience to the commands of the Houses, the Lord General despatched Mr. Copley, Commissary General of the Musters, to desire a safe convoy for such as his Excellency should send with the petition of both Houses to his Majesty. Yesterday morning, Mr. Copley returned with the enclosed answer, by which you may perceive that his Majesty absolutely refuses to receive any petition by any address of the Lord General, as one who is there expressed to be the principal of those whom the King has proclaimed traitors. This we humbly conceive to be "a most high indignity" and scorn cast upon the authority of the Parliament in the person of his Excellency, and a final and utter rejection of the "submissive," dutiful, and earnest desires of peace so often laid at his feet, "with the cries and groanes of his loving and loyall subjectes." We beseech you to take care that when any ammunition "or other carriages" are sent, we may be acquainted beforehand of the road they take and the places where they lodge every night. Heraldic seal of the Earl of Essex.

Same day and place.—The Earl of Essex to the same. In obedience to your commands, I sent Mr. Copley with a letter and three votes of both Houses, with a desire of a safe conduct. I have sent you the letter and the answer. This answer did not take me unprovided, for since the first answer I sent up to the Parliament I expected no better. "And for my head that is soe much louckt after (and pleas God), I intend to sell it at such a rate, the buiers shall bee noe great purchasers." My secretary has put up Lord Dorset's letter. Smaller heraldic seal.

1642, November 1. N. S. The Hague.—Walter Strickland to John Pym. This gentleman, Mr. Knight, is well known to Mr. Lawrence and Sergeant-Major Skipham. He is a gentleman of merit and a true lover of religion. All that I can commend to your care is the Queen's coming over, which I fear will produce some disadvantages. Officers and commanders will pass with her, not in that name but as followers and servants. I hope you will cause her ships to be visited. Mr.

Percy has gone to England, to Newcastle I think. So is Davenant, Sir Thomas Dorrill, and Philpot, and one Mr. Smith. They say that Lord Newcastle, with the help of Sir William Widdrington, and Lord Dunbar, will raise 8,000 or 10,000 men. I hear that officers, both English, Scotch, and High Dutch, will go with the Queen as followers and servants. I will do all I can, but I wish that the seas may be kept. They say that she will be going within ten days.

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[1642.] <sup>October 31.</sup>  
<sup>November 10.</sup> [The Hague.]—Walter Strickland to John Pym. The Queen has demanded ships and appointed the 17th of this month for her departure, but it is thought that she will not go until she hears from England by Davenant, Percy, Philpot, or Sir Thomas Dorrill. Capt<sup>n</sup>. Stradling came here some four days ago. He reports that Lord Essex's men will not fight, and that they go from him. I hope you will have regard to what passes with the Queen. Orders here are not punctually executed; officers will not do their duties. The Council of State and the Admiralty have order to execute the answer to the declaration. I desire to hear how you like it. I hear that the Queen intends to take over horses and ammunition. Great endeavours are made to raise money by borrowing and pawning jewels. The Prince, I hear, forwards this business. Col. Goring will go over. All that I could obtain by my complaint was that the Council of State and the Admiralty should stay all officers and soldiers, but for all that he will pass by ship from some private place. I learn that your letters and mine are opened on the way. Heraldic seal.

[1642.] November <sup>3.</sup><sub>13.</sub> The Hague.—Walter Strickland to John Pym. I am glad that your armies are in so good a condition. Lady Stanhope's husband, Mr. Hanifleet was sent by the States to enquire when the ships should be ready, and the Queen returned answer on the 20th. Most people, however, think that she will await the return of those sent over, of whom the last was Sir Frederick Cornwallis, who went to England two days ago. Lord Goring has lately come from Amsterdam, where, I hear, he has bespoken five or six thousand muskets, which are to be paid for out of jewels sold or pawned. These are to come with the Queen, or before. The levy of men in Hamburg continues, and they say that four or three thousand will soon be shipped to England. I send the order of the States General upon my complaint of Col. Goring's coming over. It is not so particular as I could have wished. Some say that Prince Talmont, brother of Lady Strange, will go over with the Queen, but in what condition I know not. General King has been here three or four days. It is doubtful whether he will accept the employment of England, though he will be much pressed to it. Colonel Cockram is to be here in a day or two. Some say that he sent word that the soldiers levied by him were ready to be sent to Newcastle. Lord Arundel came here yesterday from Flanders. He is going away to-day. Some say that the Catholics contribute money to this war. I hear that Lord Craven will shortly go to France. Colonel Goring, Sir Henry Mackworth, and Captain Wyndham (Windam) are likely to go over. The soldiers of most esteem here seem to be very good friends to the Parliament, as Sir Henry Herbert, Lieut.-Col. Cromwell, and Sir Ferdinando Knightly. It is said that the magistrates of Rotterdam furnish 15,000*l.* sterling upon pawn of ten great pendant pearls and other jewels, and that divers other jewels of the value of 100,000*l.* have been offered to be pawned at Amsterdam, but that they will not raise half the money. Mr. Henifleet, Lady Stanhope's husband, Mr. Jermyn, and Lord Goring, are used in these matters. Heraldic seal.

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[1642.] November 13. (N.S.) The Hague.—Walter Strickland to John Pym. Since I wrote my "packet," I hear that Sir Frederick Cornwallis has taken over some twenty commanders with him. The wind is now contrary, but I am told that he went to sea yesterday for Newcastle. It is said that Mr. Percy is not gone to England, but to Germany, to the Emperor or some other princes. The Queen leaves about the <sup>13th</sup>~~28th~~. Money has been raised here by means of the Prince. Mr. Jermyn has had great sums here—some say 15,000*l.*, some say more. It is said that Mr. Percy is to borrow 100,000*l.* I hope the seas will be well kept. They have two troops of horse, and if they cannot embark here, they will embark at some port in Germany. Heraldic seal.

[1642.] November 3. Stamford Bridge.—Sir Hugh Cholmeley to John Pym. I have this day come to Stamford Bridge, where I purpose to quarter the few forces that I have, being scarcely 500 foot, Capt<sup>n</sup> Mildmay and Alured's troops, and about 20 more horse sent to me from the gentlemen in the country, and by me armed. I expect as many horses "suddenly" as will make up a troop, if I had arms for them. Mr. Sykes has brought into Hull arms which he desires to furnish for the service of the King and Parliament, upon public faith. I desire the Committee for the Safety of the Kingdom to give me leave to take 40 pair of pistols and as many carbines upon public faith, and that I may complete a troop. If we had six troops of horse here, there would be employment for them. The enemy is very strong in horse, and especially in dragoons. They drove into the city many horses in droves, before we came hither. Our horse are much employed in the day in bringing provisions from the city, which is the more difficult because we are upon the forest, six miles from the city. There is no good quarter nearer York, and our forces, being not equal to the enemy, lie safe here upon a river which "carryes" most of the mills that supply the city with corn. I will make most of them unfit to grind, except these at Stamford Bridge. I expect 200 men more within two days, and as our forces increase I shall endeavour to draw nearer to York. We are informed that there are 2,000 in the town, but I do not believe the number to be so great. They use all art that may be to unite the city to them, making bonfires for the great overthrow of the Parliament forces, and the taking of the Lord General as a prisoner. I cannot much confide in Capt<sup>n</sup> Alured. Both at Hull and since his coming to me, he has much magnified the King's party in London, till this defeat [at Edgehill]. I have furnished Capt<sup>n</sup> Alured with 100*l.* and he has not a penny. My money slips fast away, and yet I am as careful as if it went out of my own purse, and I am both Paymaster and Commissary myself. I have disbursed 200*l.* in repair of the castle, mounting ordnance, etc., but before the platforms are finished, the breaches repaired, and the castle made habitable, it will cost 200*l.* or 300*l.* more. We found three pieces of ordnance there. If victualled, my captains think that it may be made tenable with 300 or 400 men against any number. I have left 100 men in the castle under Capt<sup>n</sup> Cowleby. We hear of great preparations in the north. They are brisk in fortifying at York. One Mr. Francis Thomson "owes" the castle. He had within these two years contracted to sell it to Sir Francis Wortley for 600*l.*, and truly I thought he would not have required more of the Parliament, but he holds it now not a penny under 800*l.* He is a malignant man, and, I am informed, sent a horse to the King against the Parliament. His son, Christopher Thomson, helped to send the ship with arms from Scarborough to Newcastle a little before my



coming, else Sir John Hotham's ketch would have met with her. It were not amiss to send for them, but I would not have it done on my information, for reasons which I cannot now express. Heraldic seal.

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1642, November 4. Southampton.—John Button and Edward Hooper to John Pym. In obedience to your letters of the 1st inst., we went to-day to Southampton privately, and there conferred with the Mayor, the two Burgesses who serve for the town, and some other well affected persons. They told us that all was quiet yet, but that there are some ill affected. Yesterday a servant of Sir John Millin, who with his master came on Monday last from the King's army, gave ill language of the Lord General, for which he was committed, and since let out on bail. On Monday there was a meeting about exercising arms, at which there was some difference of opinion, but it was pacified by the care of the Mayor and Burgesses. We think it fitting, if you so please, to add to the Committee of Hampshire, Mr. Peter Seale, Mayor of Southampton, and Mr. George Gallop and Mr. Edward Exton, Burgesses for the Parliament, whom we find very vigilant and faithful. There are three companies in Southampton, whereof one is without a captain; the other two they can scarce confide in. It is therefore desired that any six of the Committee may have power to supply the place wanting, and to displace the others if there be occasion.

[1642.] November 19. N. S. The Hague.—Walter Strickland to John Pym. I am more and more confirmed that there are designs upon Harwich, Yarmouth, Hull, and Portsmouth, and that it is intended to have considerable forces at sea to beat the Parliament's ships if it be possible. A ship called the *Ralph* has come here from Newcastle; the master's name is Hudson. She belongs to one Coole of Newcastle, who has offered her to serve the Queen. It is said that she is to take in ten pieces of cannon. I have made complaint to the States General, but there is so much form in their resolutions as to make the work fruitless. Whatever is concluded one day must be read the next in the council, and then be perfected, which gives time enough for the ship to be gone. When I sought to hasten it, the Secretary, or *Greffier*, who is to despatch the order, told me that he cared not whether she were gone or not. I find him harsh in all that concerns the Parliament. I beseech you therefore be careful that a good fleet be at sea when the Queen goes over, which they say will be this day sevensnight if Knowles and Skipwith come over. I hear that Sir Frederick Cornwallis is gone to London disguised. He has been a great taker-up of men. Colonel Goring, Sir Francis Mackworth, Captain Wyndham, and Captain Byron, are principal agents in the design for taking up men. I hear that General King has deserted the service, and that he will not be employed. You will hear that Hudson's ship is gone, whilst I am put off with delays. The Queen has packed up, but it is said that she will not go till this day sevensnight. She has eight ships by the States, and is angry that she has no more. When the States of Holland meet in two or three days, I shall have better expedition. I shall endeavour that their ships may not have orders to conduct men or to fight with ours. Heraldic seal.

1642, November 19. N. S. The Hague.—Walter Strickland to [John Pym?]. I have received your letter of the 28<sup>th</sup> of October. It seems to me that the great number that fell off from the Lord General was a real demonstration that the victory was not by men but by God. I have made known to the Prince-elect what you wrote concerning him, in your own language. It satisfied him much, as he knows the worth of your person. He told me of a letter whereby he was earnestly

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pressed to put himself into the Queen's affairs, to go over with her, and so to go to the King. I told him that in doing so he would forfeit the opinion which he now has in the hearts of the best men, and that it might engage him in designs he knew not of, which at best must tend to ruin his interest among all Protestants in the world. He told me plainly that he was dependent on the King, but he asked whether the Parliament would preserve him in case he should not follow that way. I told him that it was not for me to judge what the Parliament had not declared, but that it was not likely that the Parliament would suffer a Prince they loved so well to be prejudiced for loving them. Let me know how far he may expect satisfaction in this particular. You may loosen him from them and fasten him to you. One way or the other, the kingdom must pay the money. He is sweet and noble, and you have an opportunity of gaining him, by making him assured of his subsistence.

The Queen is not satisfied with the small number of ships. Some think that others will meet her on the way, and make her able to do something against our fleet, or to get some place in England, Harwich, Yarmouth, Hull, or Portsmouth. Serjeant-Major Dolman was offered employment, but he would not accept it. He has been very fair since he came from England. If what we hear of the Scots' march be true, Newcastle will be no place for the Queen. I have a new order to the Admiralty concerning the *Ralph*, but I fear that she will be gone before she can be stayed. They intend "to steal into her by night" ten pieces of cannon and some powder, for they cannot have leave. No man here was more busy than Sir Frederick Cornwallis, nor more active against whatever I did for the Parliament. You will receive from me a letter which I was entreated by the States General to write on behalf of Lady Derby. They entreated me to do this office to the Parliament because their Ambassador was coming away. I could not refuse to do it, but I told them that I heard that she had deserved ill of the Parliament. You will give them a fair answer, and for doing or not doing the thing it is all one to me.

1642 [November], 19 (N. S.). The Hague.—Walter Strickland to John Pym. Concerning the *Ralph* of Newcastle, and the projects of the Queen. Heraldic seal.

1642, November  $\frac{10}{20}$ . The Hague.—Walter Strickland to John Pym. The States General have lately received a letter from England from the Countess of Derby, of which they communicated the effect to me by my Lord Vosbargen, a person of great esteem who has much obliged me. She desires the States General to mediate for her with the Parliament that her person, her children, and her house, may be secured from dangers to which she may be exposed by her Lord's following the King's party. She gives as reasons that they should interest themselves for her that "her marrying into England was a thing communicated to them," that her grandfather lost his life in their service, and that she is nearly allied to the Prince of Orange. I told my Lord Vosbargen that some of her letters were said to show but little good affection to the Parliament, and that I knew not how far the Parliament had power to exempt any from these common dangers, but I promised to make known their desire. I beseech you to acquaint both Houses with it, and be pleased to use your power to favour it. Heraldic seal.

Same day and place.—The same to the same, "for yourself." I am informed that there is one Mr. Clarke, a gentleman living near Charing Cross, and having some relation to the Court, who pretends to be a friend to the Parliament only in order to be trusted. He discovers all

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that he can to those here. Many here speak "desperately" against Parliament men. An Englishman was heard to say in a passage boat that he would kill the Lord General, the Earl of Essex. Before I could have the order, Hudson's ship was gone, with ten pieces of ordnance and about a hundred soldiers. The Queen has packed up. Some think that she will go to Newcastle; others to Ireland. I hear that Sir Richard Cave, Captain Gerard, and Captain Blake are in service against you, and that Captain Wyndham is gone over in Coole's ship [*the Ralph*] with the ordnance and men. The States give the best orders, but they are badly performed. I will complain. Do what you please about Lady Derby's business; a civil answer will serve, though it be not to expectation. I desire not to speak for malignants, but I could not do less. Signet.

1642, November 11. Plymouth.—Alexander Carew, Francis Butler, J. Eliot, John St. Aubyn, John Trefusis, Francis Godolphin, John Carter, Richard Erisey, and T. Arundell, to John Pym and the rest of the Committee for the Safety of the Kingdom. We wonder much that our county of Cornwall should be so much neglected by you. Since our last, Col. Byven with some of ours were invited by the insolency of our Cornish adversaries and their invasion of Devon to try their mettle by falling out upon them as they lay in Milbrooke, whence on our appearing they immediately fled, leaving to our mercy five of their company, of whom one was a Lieutenant, with their horse and furniture. The Sheriff of Cornwall not only continues his malignancy but gives it new "accession." The posse comitatus is now raising a second time. This town is doubted. Their strength is great—five or six thousand well armed, and plentifully furnished with money by their taking up the subsidy contribution for Ireland and the county stock. Ours is small, which again provokes our old petition for a speedy supply, especially of money and arms—pistols, carbines, and saddles in the first place. Devon pretends but little, and will act less. Each procrastination is dangerous to us. We dare not give our reasons. Papers are not safe. We again implore your speedy succour.

November 28.  
December 2. 1642, The Hague.—Walter Strickland to [John Pym]. I have complained to the States General, and likewise to the States of Holland, concerning the Captains who were to come over, but I can get no relief from either. They are to be shipped to-morrow for Newcastle with divers soldiers. All these Captains are intended to be Colonels. There is Colonel Goring, and Captain Byron, Sir Francis Mackworth, Captain Flood, Captain Brett, and Wyndham who went before in Coale's ship. I cannot hear the number of soldiers, but I think that it is two or three hundred. I was likewise informed from Amsterdam that twenty pieces of ordnance, with powder and other ammunition, were shipped at Midenblick, a port in North Holland. I gave a memorial to the States of Holland desiring that the ships might be stayed, and I went likewise to the States that came from Amsterdam. The next morning I went to the President of the States General, who fell out to be then Van Reade, or Rinswoud (for he is called by both these names), one of those who was intended to be one of the Ambassadors to England. He has always expressed himself against the Parliament, but never so much as at this time. I offered him a note of the ships, desiring that they might be stayed, but before he saw it, he said that I could not prove it, and that I must tell who informed me. Such a demand was never yet heard of, for there is no English or Dutch merchant who dare be known to give any information for fear of the displeasure of "great ones." I refused to tell him. I had the

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information from an honest, able man from Amsterdam, where Lord Goring was making these provisions. If the Parliament will not let them know by letter that I am not to be so used or slighted, I shall be able to do the House no service. They should be told that you will not pass by without resentment so many breaches of their promise. Otherwise I would have leave to come home. No discouragements ever stuck with me whilst I was able to serve you. If I come home, it will be but to tender myself to your commands. If I can do nothing else, I can add one sword more to those that wait on the Lord General [Essex]. Some here think that the King of Denmark might be "sweetened." I know not how you treat of peace at home, but all things here seem to be carried to conclusions of war. Mr. Knowls came here from Scotland not long since. The Queen's alteration in not going into England was very sudden, after her ships were ready. They hope to make Newcastle able to command Yorkshire, and "be a seed-plott for greater hopes." Some say here that two thousand soldiers are to be sent from Hamburgh to Newcastle. If the Ambassador from Holland be not gone away, it were fit to make him understand your sense of these things. The President Van Reed told me that I had sent arms to the Parliament, which I never did.

1642, December 2. (N.S.)—Protest of Walter Strickland concerning the breaches of the order of the States General against the transport of soldiers and arms to England. (Copy. French.)

N.D. The Earl of Warwick to John Pym. I have received your letter of the 6th inst. and have accordingly despatched Capt. Harris with Mr. Strickland's man to Helvoetsluis, to look after *Dunning* and *Achelees*. I will send Capt. Wheeler into the *Maas*. I will also send another ship to bring away Mr. Estwick's arms from Rotterdam. All our merchant-men are near the end of their victuals; some have sprung leaks in this stormy weather. I have sent in several of them. Some of our ships of his Majesty's have victuals for only twenty days. They must go in at fourteen days, the winds being so constantly west at this season that they may lie ten days at anchor in the Gore, before getting a wind to carry them over the flats. A bark of Blakeney in Norfolk has told me that divers Irish pirates are abroad, well manned, and that they have taken a Yarmouth man and hanged all the English, and their dogs also. None escaped but a French pilot of St. Malo. They lie about Ushant, Conquet Road, Belle Isle, Croisic, and Nantes. If they be not prevented, they will take many of our merchant men who have no defence. It grieves me much that I cannot help them, or send any of our ships to take those rogues. All our ships are out of victuals, and none go well enough to catch them, except the *Providence* and the *Expedition*, which might be fitted out for this service. I expect the commands of the Houses for my stay here or my return home, for about the 20th inst. my ship's victuals will do no more than carry her to Chatham. If you do not make sure of Ketelby, he will give you the slip. If his company be examined, you will find foul matter against him. I send you enclosed the accusation of Capt. Ketelby for this last misdemeanour, as sent to me to day by my Vice-Admiral from the Gore near Margate.

N.D. Verses "upon Sir John Suckling's hundred horse." Forty-two lines. They begin:—

"I tell thee Jack, thou'st given the king."

They end:—

"By carding and by dice."

Sir John Suckling's Answer. Forty-two lines. They begin:—

"I tell thee fellow, what ere thou bee."

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They end:—

"To venter for a crowne."

[1643.] March 14. Coventry.—John Berker, H. Mackworth, William Purefoy, and George Abbott, to the Earl of Essex, at Windsor or elsewhere. We enclose letters which we have intercepted. Our danger is the more by reason of our weakness occasioned by late disbandings of many men for want of money and supplies sent to Killingworth and Maxstoke Castles and two companies to Lichfield, which are withheld from us by the forces that lie between. We have written, according to your advice, to Lord Grey, to join with Sir John Gell, and also to Sir John to entreat the like of Sir William Brereton, "which joint power is likely the only way to amuse their designe together with your Lordship's diversion." We are assured that there are mortar pieces as well as battering ordnance intended against us. Besides this warrant for 100 horse to be raised in Warwickshire, there was another of the same to the Earl of Northampton for that shire. If we should be besieged, we should be in great defect of a commander of experience. We hear extraordinarily well of Lord Forbes, who would, we doubt not, readily undertake this employment, being now out of action. Heraldic seal—a fesse chequy between six roundles.

1646, May 9. [Somers Island, Bermuda.]—William Rener to Alexander Pym at Derby House in Westminster. Concerning his estates in Padgett Tribe and Pembroke Tribe, and the estates of Lord Say and Sir Benjamin Rudyerd. The Government is changed. Within twenty days after his arrival, the Governor called an assembly, pretending thereby to reform certain things amiss. All the ministers in the island, Mr. White, Mr. Goldinge, and Mr. Copeland, were Independents, and they had set up a Congregational church, of which most gentlemen of Council were members or favourers. The burgesses of this assembly were picked out of those who were known to be enemies to that way, and they did not suffer a Roundhead (as they term them) to be chosen. Particulars of tobacco send to England in chests of cedar.

1646. November 14. Woolavington.—James Hayward to Alexander Pym at Wilmot House near Whitehall. The payments for beds and pioneers' wages for the garrison at Bridgwater were raised by a general rate over all our parish. When such a burden is laid on our parish, you will not expect that your poor tenants should bear it all and your farms go free. Colonel Jepson quartered 50 men and 50 horses in our parish for ten days, and of them I had, for my own tenement and your farms, Major Gifford, his wife, child, and five servants and nine horses. For your farms I have craved allowance for only three men and three horses. Of a foot company I have had the ensign, his horse, his boy, and one soldier, yet I craved of you only for the ensign's diet at 5s. a week. I have thus borne a greater burden myself for my own tenement which at best was worth only 30*l.* a year than I craved for your farms which in good times were let for 150*l.* a year. A foot company of Taunton garrison is at present quartered in our parish. This will be chargeable to you. The Commissioners of water-sewers have also ordered a great sum of money to be raised in our parish for repairing a sea-wall in Huntspill. Your rate thereof is above 20*s.* for your farms.

1648, August 11. Mungeham.—John Sackett to Robert Hales, Captain of the troop of horse for the Lath of St. Augustine [co. Kent]. Last night I was warned to send a light horse to appear before you this

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morning at Bridge Hill. I am glad that you are entrusted with the command of this troop, and I hope that it will be more carefully managed than heretofore. I am not fitted to send so speedily, my house and arms being swallowed up in that general deluge which was upon us in the late unhappy tumultuous insurrection of the county. I hope that I shall not be charged with the whole furniture of a horse, man, and arms, especially at this time when the burden of quartering soldiers lies so heavy upon us, which will continue as long as the "leaguer" last, my parish being assigned for wounded men. However, I shall be content to bear proportionately with the rest of my brethren of the ministry who are free from the charge and trouble that I daily suffer. I am content to find a horse, or the man and arms. We have great difficulty in obtaining our maintenances, yet we have no abatement of our taxes. I do not envy the calling of a soldier, yet they, whose wages are double and treble to ours, are wholly free from taxes which are imposed on us.

1662, August 15. Surinam.—John Treffry to Charles Pym. We have been long in expectation of my Lord [Willoughby] who by his last told me that he would soon be ready to sail, having fully agreed with his Majesty concerning Barbados and this place. I hope that we shall see this colony wonderfully prosper by reason of the decline of Barbados, whence we daily expect sixty passengers and planters by the *Gaiana*. All things are excessively dear, and the sugar so bad that it will hardly be received. Money is as fluent there as in England, and taverns take nothing else—no goods, which must occasion a decay of their old trade. The Spaniards, we understand, have bought 500 negroes from the island for ready money at high rates. Our colony is daily improving. Seven ships have already gone hence laden with sugar, specklewood, and other commodities.

Major Noel has a windmill up, and ours will be the next to be made. Every one is striving for the good of the public. Our sugar is far better, and of greater price than that of Barbados. Our noble Governor may justly bear the honour, having won every one not only to himself but also to industry. Some debauched persons have lately tried to make the world believe that he intended to poison Lieut.-Col. [Robert] Sanford. It was a plot of Sanford's. Particulars given.

1667, December 15. Barbados.—Lord Willoughby to Sir Charles Pym. "I am going to Leeward to settle things there, and I may chance try my skill in Indian-hunting. Their late barbarities have been such that they deserve no law." Heraldic seal.

1668, November 8. Antigua. William Byam to Sir Charles Pym at Hatton House, London. I have deserted our unfortunate colony of Surinam, war and pestilence having almost consumed it. As it is to revert to the Dutch, I have with great loss removed to Antigua, where I am hewing a new fortune out of the wild woods. Resettling is hard, the island being ruined by the French and the Indians. The titles of our lands are established to the satisfaction of all, and the inhabitants are more now than ever before. Heraldic seal.

1685, September 15. [London.]—William Longueville to Thomas Hales. The new Lord Lieutenant is to be over [in Ireland] next month. The Lord Keeper, North, died on Saturday at his house in Oxfordshire. Who shall succeed is not yet fixed, but Lord Jeffreys is most likely, and the Bishop of Ely [Francis Turner] has some thoughts among us. Judge Walcott of the King's Bench is dead, and the Master of the Rolls very dangerously ill. Heraldic seal.

1685, December 17. [London.]—William Longueville to Thomas Hales. Yesterday the Lord Lieutenant went on his way for St. Alban's.

attended by the Lord Chancellor, the Lord Treasurer, the Dukes of <sup>MR. BOUVERIE'S</sup> Ormonde and Beaufort, and others. Heraldic seal. <sub>MSS.</sub>

1685[-6], January 9. [London.]-William Longueville to Thomas Hales. The Earl of Northampton is at the Countess of Conway's, and like to be married to that very rich, hunting lady. The Earl of Nottingham has been above a week married to Lord Hatton's only daughter.

1685-6, February 4. [London.]-William Longueville to Thomas Hales. There has been too much bloodshed here. You will hear of duels—the Duke of Grafton and Mr. Talbot, Vario's (Verrio's) son and another, Mr. Henry Wharton and a Lieutenant. The Earl of Northampton has at last given over Lady Conway, and come to town. Heraldic seal.

1685-6, February 23. [London.]-William Longueville to Thomas Hales. One of the first obligations I had to your Lord [Clarendon's] family was by reason of your grandfather's patent of baronetcy which was stopped. My father and I applied to Lord Clarendon, then Lord Chancellor, and I had five hundred broad pieces to present to him on the occasion, but the good old Lord told us that he would oblige us, and never had a penny. It is expected that all the baronets of the late King's time will be brought by Exchequer process to pay and plead the discharge of 1,000*l.* recited to be paid in the usual patents of baronet. Some quietuses or discharges will not be allowed. Sir Thomas Osborne and Sir William Temple have applied to the Lord Treasurer, and have gained stop of this process against themselves. The King will ease those who have family merit or personal merit. I have sent for your father that we may resolve what to do "under this rod." You must show all diligence for the Lord Lieutenant, "his talent being in his over-measure diligence." There has been duelling about Lord Northampton's match or no-match. If either of the wounded who are in danger—Mr. Conyers or Mr. Seymour—happen to die, the King will let the law run with severity against all the six concerned. Heraldic seal.

1686, May 8. [London.]-William Longueville to Thomas Hales. Books instruct and "gentilize a man." The Earl of Northampton is to marry Sir Stephen Fox's daughter to-morrow. The King goes to Windsor on the 14th of this month. The case of Mr. Williams as to his formerly licensing Dangerfield's Narrative comes on in the King's Bench on Tuesday. "It looks cloudely on Mr. Williams." Sir Edward Hales is prosecuted at the suit of one Godwyn of Kent for 500*l.* for not taking the test as Colonel, but whether it be "a prosecution adversary," or on purpose to draw on the question of the dispensing power is doubtful. Cousin Lydcot, secretary to Lord Castlemaine, is come from Rome in fourteen or fifteen days. Our common people say that His Holiness objects to our King's titles of supremacy. Heraldic seal.

Besides the above, there is a bundle of letters to Sir Charles Pym from several persons living at Bermuda in the time of Charles II.

The following documents are on parchment:—Certificate by Thomas Gudibour, Prior of the cathedral church of Carlisle, Christopher Moresby of Highened, knight, Master John Whelpdale, Official of the Bishop of Carlisle, Master William Raa, Official of the Archdeacon of Carlisle, John Radclyff of Derwentwater, and Henry Denton of Cardue, esquires,

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that Robert Lowther son of Robert Lowther, knight, died without issue and was buried at Sebergham, that Geoffrey Lowther, brother of the said Robert the son, also died without issue, and was buried at the same place, that William Lowther, brother of the said Geoffrey, had issue John, and was buried at Dalston, that the said John died and was buried at Dalston, leaving issue Christopher who is alive and "enheritable," and to whom ought to belong the manors of Well and Garyngton co. Kent, according to a fine levied in the 26th year of Henry VI. Attestation of Richard, Bishop of Exeter. Shap, January 8, 1498-9. Fragments of five seals attached.

Rental of property co. Kent belonging to the Prior of Christ Church, Canterbury, made by John Hales, Baron of the Exchequer. 35-36 Henry VIII.

Taxation of all benefices in the diocese of Canterbury. 35 Henry VIII. Rental of Christ Church, Canterbury. 26-27 Elizabeth.

Subsidy roll of the Lath of St. Augustine, co. Kent. 33 Elizabeth.

Illuminated genealogies of the families of Engeham of co. Kent, A.D. 1572 and 1651; Hales of Hales Place, A.D. 1621, with continuation by Sir Isaac Heard; and Pym of Brymore, A.D. 1583 by Dethick, and 1643 by Ryley.

There are also at Brymore many bundles of small mediæval deeds relating to property at Cannington and other places in the county of Somerset.

Mr. Bouverie has kindly given me every facility for the examination of his manuscripts.

H. C. MAXWELL LYTLE.

## SUPPLEMENTARY REPORT ON THE MANUSCRIPTS OF THE LATE W. BROMLEY DAVENPORT, ESQ., M.P.

MR. B.  
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SHORTLY before his sudden death, the late Mr. Bromley Davenport submitted for examination a number of ancient deeds from Baginot Hall. By his desire some of them were selected for exhibition in a cabinet or glass case, and the remainder arranged in bundles, as follows:—

Selected deeds:—

Confirmation by W. Giffard to William son of Hunger of his land of Sunger (Suhanger), granting it to the use of the church of St. Mary of Bordesley in free alms. Witnesses:—Henry, brother of the Earl of Warwick], Henry the sewer, Edwin de Piru, Walter the chaplain, Ralph the scribe, Walter son of Girard. Fragment of equestrian seal attached. (12th century.)

Confirmation by William Giffard to the church of St. Mary of Bordesley of the land of Sunger (Suhanger), for the benefit of the souls of his lord, Roger the Earl [of Warwick], who gave it to him, and of the souls of their respective ancestors, and for the good estate of his lord William the Earl [of Warwick], and Gundreda the Countess [of Warwick] his mother, and of himself and his heirs, on condition that Richard de Dercet and Gilbert his son, and William son of Hunger, who claim it by hereditary right, shall release it to the said church for ever. Y confirms also to the said church the grant of Suan Eaveth of a hide



land at Oxhill (Occeshull). Witnesses:—Ralph, Prior of the Holy Sepulchre [at Warwick], Henry brother of the Earl [of Warwick], Robert the butler, Henry the sewer, Ralph the scribe, Walter son of Girard, Gundreda the Countess [of Warwick], Geoffrey the chamberlain, Hugh de Arden, Robert Murdac and Thomas his brother, Robert son of Odo, John de Kinton, William de Cirecester. Fragment of equestrian seal attached. (A.D. 1153–1184.)

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Confirmation by G[eo]ffrey the chamberlain of Clinton of the charter of William Giffard, granting the land of William son of Hunger of Sunger (Sudhangra) to the church of St. Mary of Bordesley. Witnesses:—Robert de Crest, Roger son of William, Simon his brother, William son of Ralph de Tamworth (Tamewarda), William de Moi, William Estreche of Felcheham, Roger Bastard of Tamworth (Tamewarda), Ralph monk of Winchester, Haste the villein, the man of Robert de Crest (Haste villano homine Roberti de Crest), Engelram. (12th century.)

Confirmation by R[og]er, Earl of Warwick, of the grant of William Giffard to the church of St. Mary of Bordesley, of the land of William, son of Hunger, at Sunger (Suhanger). Witnesses:—Henry his brother. Henry the sewer, Walter the chaplain, Geoffrey the chamberlain, Walter son of Girard, Edwin de Piru. Dated at Warwick (before A.D. 1154).

Grant by Walter Cumin to the church of St. Mary of Bordesley, and the monks thereof, of his land adjoining the road which leads from Sturcheneston (?) to Edston (Edricheston), for the benefit of the soul of his uncle William Cumin. Witnesses:—Jordan the chaplain of Wire, William Cumin, and twelve others named. Seal attached. Endorsed in a later hand "Confirmatio Walteri Cumin de quadam terra Suangre."

Grant by Reginald, son of Roger de Claverdon, to the church of St. Mary of Bordesley, of an acre of land at Sunger (Suhanger). Witnesses:—Robert son of William de Wolverton (Wlfardintur), William de Burle, Robert de Walefort, Alan de Bleiz, Helias the bishop. Fine seal attached.

Grant by Alan, son of Alan de Blez, to the church of St. Mary of Bordesley and the monks thereof, of fifteen ridges (seiliones) of land at Langley. Witnesses:—Peter de Wolverton (Wolwardington), and six others named. Large seal attached—device three ears of corn.

Letter in French from John de Cantelou to the Bishop of Worcester, concerning the right of John de Wolverton (Wolwardinton) to present to the church of Wolverton. A.D. 1307. Heraldic seal attached.

Grant by Gerard de Allispath of a yearly rent of 30*d.* in free alms, for the sustenance of two wax torches before the altar of St. Mary in the church of Allispath, and of a lamp before the altar of St. Laurence in the same. (13th century.)

Grant by John Odynsels (Oddynsels), knight, to Robert Wolfes of Sowve, and Richard Wolfes, clerk, of the custody and marriage of Guy Breton, son and heir of John Breton, and, if he die under age, of the custody and marriage of Agnes his sister. 41 Edward III. Heraldic seal attached.

Grant by Joan, relict of William Bretoun, knight, to William de Folkeshall, chaplain, and William the clerk of Offchurch, of all the lands, etc. which she had, jointly with her late husband, of the feofment of Nicholas de Somerton and Nicholas Salomon, chaplain, in the hamlets of Hay and Gorcote, in the parish of Studley. 6 Richard II. Heraldic seal attached.

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Indenture tripartite whereby William, Abbot of Westminster, and the Convent of that place, in consideration of the sum of 300 marks paid to them by Master Walter Cook, Canon of Lincoln, and of the patronage of the chantry of the chapel of SS. John Baptist, Laurence, and Anne, lately established and built by him in the hamlet of Knowle (Knoll), co. Warwick, assign a yearly stipend of 10 marks to the chaplain for ever. August 11, 1404. Conventual seals attached.

Grant by John Shakespere of Wraxale, son and heir of Richard Shakespere, to Humphrey Blyke of Aspeley co. Salop, of a croft called Newland, in the domain of Shrewley. January 18, 7 Henry VII. Fragment of seal attached.

Certificate of Edmund, Prior of Henton, and the Convent of that place, of the admission of William Gellet, M.A., as a partaker of the prayers of that house, in life and in death. A.D. 1533. Fragment of conventual seal attached.

A bundle of twenty-nine deeds of the 12th and 13th centuries relating to property at Claverdon and Kington, in the hundred of Barlichway, co. Warwick. Among them are the following:—

Grant by Waleran, Earl of Warwick, to William de Arden, in fee, of certain lands at Claverdon, for a yearly payment of one bezant. Witnesses:—Thomas, Prior of Warwick, Nigel de Mundevill, and eleven others named. (A.D. 1184–1205.)

Grant by William de Arden to the church of St. Mary of Bordesley, and the monks thereof, of twenty-five acres of land at Claverdon, for a yearly payment of 4s. 2d. Witnesses:—William Cumin, and four others named. Fragment of equestrian seal attached.

Release by Michael, son of William de Arden, to the church of St. Mary of Bordesley, and the monks thereof, of the said yearly payment of 4s. 2d. Witnesses:—Nicholas the chamberlain, and seven others named. Seal attached.

Confirmation by Walter, son of Hugh de Burley, to Christiana his sister, of a messuage in the vill of Kington, in the fee of Claverdon (13th century.)

Grant by Hugh de Burley to the Abbot and Convent of Conches, and the Prior of Wotton [Wawen], of seven ridges (sellones) of land at Claverdon. Witnesses:—Sir Simon Bagot, Sir Robert de Clopton, knights, and five others named.

Grant by Hugh de Burley to the church of St. Peter of Conches, and the monks thereof, of part of his clearing (assarti) at Claverdon. Witnesses:—Sir Peter de Wolverton (Wolvardinton), knight, Sir Robert de Clopton, knight, and four others named. Seal attached.

Grant by Hugh de Burley, son of William de Burley, to the church of St. Mary of Bordesley, and the monks thereof, of the homage and service of Juliana, niece of his wife, and a yearly rent of 1d. Seal attached.

Grant by Nicholas Curli and Juliana his wife to Henry Smith (fabron) son of John Smith, with Alice their daughter in free marriage, of a tenement called le Hoo, to be held of the Abbot of Bordesley. Witnesses:—William de Waleford, Henry de Nort, Nicholas de Curle, and six others named.

Release by Nicholas, son of William de Burley, to the Abbot and monks of Bordesley, of the land which he held of them at Claverdon, adjoining the land of Hugh, son of William de Burley. Witnesses:—

Sir Peter de Wolverton (Wolwardinton), Sir Simon Bagot of Preston, knights, and four others named.

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Release by William, son of John de Burley, to the church of St. Peter of Wotton [Wawen], and the monks thereof, of all his right in the land at Claverdon which they had of the gift of his uncle, Hugh de Burley, and his grandfather, William de Burley. Witnesses:—Walter de Wolverton (Wlwardinton), and eight others named. Fragment of heraldic seal attached

Confirmation by Walter, son of Hugh de Burley, of the grants of his father to the Abbot and Convent of Conches and the Prior of Wotton [Wawen].

Grant by Thomas de Colehull, son of William de Colehull of Claverdon to the Prior and canons of the Holy Sepulchre at Warwick or half an acre of land at Claverdon. Witnesses:—Nicholas de Curdesdale, and six others named.

A bundle of twenty-seven deeds of the 13th and 14th centuries relating to property at Edston (Edricheston), co. Warwick.

A bundle of four ancient deeds relating to property at Sunger, in the parish of Claverdon, co. Warwick. Among them are the following:—

Confirmation by Andrew Gyffard of the charter of his uncle William Gyffard, granting the land of Sunger (Suhanger) to the church of St. Mary of Bordesley and the monks thereof. This he confirms for the benefit of the souls of his said uncle, his own brother William, and others. Witnesses:—William Cumin, William de Curle, Peter son of Robert de Wulward, Philip the parson of Haleford, Alan de Blez, John de Burle, and others.

Agreement between W. Abbot of Bordesley and the Convent of that place, and the rector of Claverdon, concerning the tithes of Sunger (Suhanger), as made by the papal delegates. Witnesses:—Richard the chaplain of Wolverton (Wolwardinton), Peter de Morbi, William de Colehull, Nicholas de Cruddeshal, Simon de Bles, Robert de Lamore. A.D. 1297.

A bundle of forty ancient deeds relating to property at Hatton co. Warwick. Among them are the following:—

Grant by William Reynfrey of Hatton to William le Porter and Giliana his wife, of half an acre of arable land with two "chikenes" adjoining, in the field of Hatton on Wodefurlong, situate between the land of the Lady Scolastica de Mewes and that of Robert le Mason 2 Edw. III. Seal attached.

Grant by John Hastanges, knight, lord of Budbrook, and Eva his wife, to William le Porter, son of Roger de Grendon, and to Juliana his wife, of three and a half acres of land with headlands (cheveciis) and all other appurtenances, which William Franceys de Walda bondman (nativus) of the grantors, bought in the territory of Hatton by Haseley, of which half an acre "que est forera" lies on Asschefurlonges, half an acre on Whetefurlonges, half an acre on Wodefurlonges "cum uno chevecto," half an acre on Middelfurlonges, two half acres on Whetefurlonges, and half an acre "cum chevecto" on Benehull. 3 Edward II. Two seals.

A large bundle of ancient deeds relating to property at Shrewley, in the parish of Hatton, co. Warwick. Among them are the following:—

Demise by John de Dufford, knight, to Matilda relict of Walter de Culy, of lands, etc. which Helisencia relict of John de Shrewley (Schreveleye) formerly held in dower. 2 Edw. I.

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Demise by John de Dufford, knight, to Matilda daughter and heiress of John de Shrewley (Schreveleye), of all the lands, etc. which Helisericia, relict of John de Shrewley, held in dower. 35 Edw. I.

Grant by John atte Cros of Hatton in the Woodland to John de Brokshawe and Emma his wife, daughter of the grantor, in free marriage, of a messuage in Shrewley "cum octo chevectis et duabus selionibus terre cum foreris, hais, et fossatis ad se spectantibus cum suis pertinentibus," which he had of the gift of the said John. 7 Edw. III.

Grant by John de Meaux, knight, to William de Filylod and Nicholas his brother, of lands in Shrewley, Hatton, and Haseley. 30 Edw. III.

Release by Matilda de Culi, widow, to William de Fililed, son of Roger de Fililod, and Nicholas his brother and heir, of a rent in Shrewley, Hatton, and Rowington. 30 Edw. III.

Release by Agnes Warde of Shrewley, daughter and heiress of John Warde and Magota his wife, to John her son, of all her right in lands, etc., which came to her after the death of her said parents. 12 Hen. IV.

Among other persons named in deeds in this bundle are the following:—Sir John de Thacham, called also Sir John Draper, vicar of Rowington (27 Edw. III.), Sir Gilbert de Lokkesleye, chaplain of the parish of Hatton (7 and 20 Edw. III.), Richard Shakespere of the parish of Wraxale (5 Hen. VII.), and John Shakespere of Wraxale, son and heir of Richard Shakespere. (7 Hen. VII.)

**A large bundle of ancient deeds relating to property at Haseley.**

A bundle of twelve deeds of the 13th and 14th centuries, relating to property at Wolverton, co. Warwick. Among them is the following:—

Grant by Michael son of Robert de Wolverton (Wolwardington) to William son of Richard Geri of Bearley (Burleg), in free marriage with Florence his daughter, of the service and homage of Simon de la Hulle of Wolverton (Wolwardington). Witnesses:—Sir Elias Giffard, Gilbert his brother, Sir Robert de Clopton, Sir Peter [de Wolwardington], knights, and three others named.

Among other persons named in deeds in this bundle are the following:—Sir Peter de Wolverton (Wolwardington) and Alina his wife, Peter son of Walter de Wolverton (Wolwardington), William de Bromel, lord of Wolverton (31 Edw. III.), and William Bruton, knight, lord of Wolverton (45 Edw. III.).

A bundle of fourteen deeds of the 13th, 14th, and 15th centuries, relating to property at Langdon and Knowle, in the parish of Solihull, co. Warwick.

A bundle of three ancient deeds relating to property at Harborough Magna, co. Warwick.

A bundle of three ancient deeds relating to property at Long Itchington, co. Warwick. In each of them mention is made of Guy le Bretoun of Wolrichestone and Joan his wife (11, 12, and 16 Edw. II.).

A bundle of ancient deeds relating to property at Coventry. Among them are the following:—

Grant by John Smythier of Coventry and Robert Litelman of the same, to John Wyseman of Hurst, co. Warwick, of a yearly rent of

Christmas of a tunic of the value of 3s., a pair of hose of the value of 8d., a pair of shoes of the value of 6d., and linen of the value of 7d., during his life. Witnesses:—Sir William Bagot, knight, John Wychard, esq., John Witzeladde, and others. Dated at Baginton (Bakyndon) 5 Kalends July, 8 Ric. II.

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Demise by Master Nicholas Gore, chaplain of the chantry of Laurence Shepey at the altar of St. Laurence in the church of St. Michael at Coventry, by consent of Sir Richard Notyngnam, Prior of the cathedral church of St. Mary at Coventry, patron of the same, to Thomas Stone of Coventry, and Alice his wife, of a tenement in Gosford Street, extending from the highway to the ditch newly made. 43 Hen. VI.

Most of the others relate to tenements in Spon Street. In one of them mention is made of John Atte Welle, vicar of the church of Hampton in Arden (10 Ric. II.).

A bundle of ten ancient deeds relating to property at Langley, in the parish of Claverdon, co. Warwick. Among them is a grant by John de Twiford, Abbot of Bordesley, and the Convent of that place, to Gregory de la Hulle of Edston (Edricheston) and Matilda his wife, for their lives, of a tenement called Birch hurste, at Langley (Longgele), situate on the highway leading from Kington to Langley. Dated Thursday after Trinity Sunday, 1301.

A small bundle of ancient deeds relating to property at Studley.

A bundle of ancient deeds relating to property at Gorcote, near Studley co. Warwick. Among the persons mentioned are the following:—Richard son of Robert son of William de Wolverton (Wolwardington), Emma daughter of Rondulf le Harpur of Studley, relict of Henry de Burley, William Bretoun, knight, and Joan his wife. (48 Edw. III.)

A bundle of four ancient deeds relating to property at Moreton.

A bundle of miscellaneous ancient deeds. Among them are the following:—

Grant by Thomas Breton, son and heir of Guy Breton of Merston, to Sir Ralph Basset of Sapecote, knight, William de Catesby, William Breton, his brother, and Sir John de Bylneye, rector of the church of Hickeford, of all his lands at Merston, Wolston (Wolvericheston), Itchington, Bascote, and elsewhere, co. Warwick. 26 Edw. III.

Demise by Thomas Yonge, Dean of the collegiate church of St. Mary at Warwick, and the chapter of that place, to Robert Huggefurd and Joyce his wife, of all their lands, etc., in Mulverton, for 100s. yearly. 10 Henry IV. Two seals attached.

H. C. MAXWELL LYTE.

## THE MANUSCRIPTS OF LORD BRAYE, AT STANFORD HALL, RUGBY.

LORD BRAYE'S  
MSS.

THE manuscripts mentioned in the following pages have been found at different times within the last few years stowed away in no order in one of the lumber rooms at Stanford Hall. Since the date of my first visit to his house, Lord Braye has caused many of them to be arranged and bound in volumes. The collection may be said to consist of four parts, the Browne MSS., the Cave MSS., the Peck MSS., and the Stuart MSS., although this arrangement has not been observed in the calendar.

The Browne MSS. belonged formerly to John Browne, of Twickenham and of Eydon, co. Northampton, who was clerk of the Parliament during a great part of the seventeenth century. For some unknown reason, he retained for himself and his descendants a certain number of the official documents that passed through his hands, instead of depositing them among the archives of the House of Lords. Many of them were indeed transcribed by him into the Journals of that assembly, which have since been printed, but some interest attaches to the autographs. At Stanford are preserved various depositions and examinations with regard to the Earl of Strafford, Lord Digby's anonymous letter to Sir Lewis Dyves, which was produced as evidence against him, Sir John Hotham's letters to the Speaker of the House of Commons, concerning the King's attempt to enter Hull, the original of the Westminster Confession of Faith, the intercepted letter from the young Duke of York making arrangements for an escape from England, and various drafts and memoranda in the hands of Littleton, Williams, Pym, and other Parliamentary leaders of the time of Charles I. Many of the documents, however, have not been entered in the Lord's Journals, or otherwise printed. The first in point of date is an account of proceedings in the House of Commons in 1572. Soon after it come a number of letters to and from Laud, Bishop of London, concerning the mission of John Durye to the Continent for the purpose of effecting an union between the Lutherans and the Calvinists, between the years 1632 and 1636. The rest of the correspondence is still preserved in the House of Lords, as stated in the third Report of the Commission, and there is no evident reason for this separation of the papers. Under the date of October 1640 Lord Braye has a copy of a letter from York, giving particulars as to the negotiations then proceeding in the north of England. He has also a number of papers, some of which have not been printed, concerning negotiations between the English and Scottish Commissioners. A holograph petition from the Earl of Strafford, quoting precedents against the Bill of Attainder, although stated to have been read on the 5th of May 1641, does not appear in the Lords' Journals under that date. An original letter from Major Thomas Wade to Harbottle Grimston, written at Colchester in August 1642, gives a contemporary narrative of the attack on the residence of Sir John Lucas. Another letter, not original, furnishes an account of the siege of Sherborne in the following month. Particulars of the siege of Lyme Regis are given in copies of Col. Were's Journals, and a letter from the Earl of Warwick. A series of elaborate notes taken from day to day during the trial of Archbishop Laud differ from the reports published by Fryne and Heylin. A letter from Sir H.

Cholmeley, Governor of Scarborough Castle, to Sir J. Meldrum, and the answer to it, are curious specimens of the controversial style of the time. The Historical MSS. Commission has more than once directed attention to the secret correspondence between Charles I. and Henrietta Maria, of which a portion only was published by the Parliament after the capture of the King's cabinet at Naseby. John Browne took copies of at least five of the letters from the King, and one of these has never been printed before. It is dated at Oxford on the 17th of April 1645, and it expresses hopes of military success and warm approval of the measures taken by the Queen. A long letter addressed to the English Parliament, in September 1645, states the views of the Scottish Commissioners upon the state of public affairs. A series of private letters from Thomas Margetts to John Browne gives many interesting details about the proceedings of Cromwell and Lambert in the north of England and their reception in Scotland in the autumn of 1648. The Browne MSS. of the time of Charles II. are not so important as those of the earlier period, but among them there are, a curious account of the death and funeral of Philip IV. of Spain, and narratives of naval actions between the English and the Dutch. The draft Journals of the House of Lords kept by Browne after the Restoration do not supply so much information omitted from the formal Journals as those kept by him during the reign of Charles I. and those kept by his predecessor, Henry Elsynge, during the reign of James I., all of which are preserved at Stanford Hall.

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MSS.

The Cave MSS. consist chiefly of deeds and other legal documents, the earliest of which relates to the manor of Stanford in the 12th century. There is, however, among them a volume containing transcripts of letters concerning the military organisation of Northamptonshire in the early part of the reign of Charles I. Two letters from Rowland Berkeley to his father-in-law, Sir Thomas Cave, give contemporary particulars of the battle of Worcester, and some later letters contain notices of the battle of Oudenarde and the riots in London in 1710. Several bundles of letters and papers relate to Parliamentary elections in Leicestershire in the eighteenth century, and to the publication of Bridge's "*History of Northamptonshire*." It is probable that some heraldic MSS. by William Burton, the historian of Leicestershire, and Robert Cooke, Clarencieux King of Arms, were acquired in the middle of the eighteenth century by Sir Thomas Cave of Stanford, who was much interested in antiquarian researches.

Sir Thomas Cave was certainly the purchaser of the manuscripts of Francis Peck, the author of the "*Annals of Stamford*," and other historical works. They consist almost exclusively of transcripts, a holograph letter of Charles I. being perhaps the only exception. Peck made collections for a history of Grantham, a history of Lincolnshire, and other works. He also procured from his friend Dr. Zachary Grey a number of transcripts from the manuscript collections of Dr. John Nalson which were formerly in the possession of Dr. Philip Williams of St. John's College, Cambridge. Many of these transcripts are printed in Peck's "*Desiderata Curiosa*," and some while ago, I made a calendar of the rest for the present report. As, however, I have since been so fortunate as to find the volumes of Nalson's collections, all of which had disappeared, in the house of another nobleman, I have kept back this calendar for collation with the original MSS., and probably for considerable enlargement. The only Peck MSS. noticed at any great length in the present report are copies of a number of

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MSS.

letters to and from John Mordaunt with regard to the royalist plea for the restoration of the House of Stuart to the throne. They supplement the correspondence printed in the "*Clarendon State Papers*."

The Stuart MSS. now at Stanford Hall seem to have been overlooked a few years ago, when the late Miss Otway Cave presented to the British Museum the voluminous diaries and correspondence of Cardinal York, which had been purchased by her mother, Baroness Braye, at Rome in 1842, together with a number of portraits and other relics of the exiled house of Stuart. They have been arranged in chronological order, and bound in three volumes. Among them are two long narratives of the adventurous journey of the Princess Clementina Sobieski before her marriage to the Old Pretender, copies of letters relating to their subsequent separation, and many documents concerning the property of the Sobieski family, and the crown jewels of Poland. There are also many papers of Prince Charles Edward concerning his marriage, the reception of his wife at Rome, and the status of his illegitimate daughter. The correspondence of Cardinal York in the third volume relates chiefly to business, but it illustrates the relations that subsisted between him and the House of Hanover. Those of his effects which were not bought by Baroness Braye in 1842, were bought at the same time by the late Mr. Balfour of Townley Hall, where they are still preserved.

The Calendar of the Stuart Papers, and a great part of the remainder of the calendar of Lord Braye's Manuscripts has been drawn up by Mr. F. H. Blackburne Daniell.

I am also indebted to Dr. Stainer for assistance with regard to the old music. Lord Braye has himself afforded every facility for the examination of his manuscripts.

H. C. MAXWELL LYTE.

A great number of documents, ancient and modern, relating to the Cave family, and the parish of Stanford. One of them dates from the 12th century :—

Notification by R. Foliot to the Bishop of Lincoln, the Archdeacon of Northampton, and all men, that he has granted to the Church of St. German of Selby (Salebi) and the monks thereof the manor of Stanford, as he had it of Wido de Ramecort or Richard, his son, and free from 4*l.* which Turstin Banastre claimed. Witnesses :—Richard de Curci, William de Curci the nephew (Willelmo nepote de Curci), and Master Peter his clerk, Henry de Otrincheam and Nicholas and Æbald his brothers, Jordan Fitz-Reiner Fitz-Count, and nine others named. Endorsed :—"Roberti Foliot de Stanford."

Grant by Elizabeth Vyell, daughter and heiress of Henry Vyell, late burgess of Bristol, to John Sutton, her cousin, son and heir of Henry Sutton, son of Thomas Sutton, burgess of Bristol, of her late father's lands in the counties of Northampton and Leicester, viz., at Swinford, Yelvertoft, Iseham, and Welton, mentioning her mother Agnes, wife of Thomas Burford. 22 Ric. II. Two seals, one that of the Town of Bristol.

A bundle of ancient deeds relating to property at Great Oakley, Little Oakley, and Geddington, co. Northampton. Among them are the following :—



Grant by William Argent, by consent of Sara, his daughter and heiress, to Alice daughter of Agnes his wife, of a messuage in his court (curia) in Oakley (Ocle) adjoining the house which the monks of Pipewell hold of him. Witnesses:—Seyr the parson of Childle, William de St. Maur, Alberic de Ocle, and four others named. Seal.

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Grant by John de Houby to Robert de Oseville, of a fourth part of the manor of Little Oakley, which he had of the grant of Matilda de Houby his mother. 13 Edw. II. Seal.

Grant by John Giffard of Cotterstock (Cotharstoke), clerk, to John Giffard his nephew and Isabel his wife, of a fourth part of the manor of Little Oakley and certain services in the vill of Newton, with successive remainders in tail to John Fitz-William of Lyveden, Ellen, niece of the grantor, and Joan and Joan (sic) sisters of Sir Luke Giffard, Rector of Cotterstock, 17 Edw. II. Two heraldic seals.

Settlement of the manor of Little Oakley and the advowson of the church on John Filiol, knight, and Margery his wife, and on Richard and John, sons of the said John, in tail. 5 Edw. III.

Release by Walter de Houby, knight, to Isabel, relict of John Giffard of Oakley, and William his son, of all his right in a fourth part of the manor of Little Oakley. Witnesses:—Sir John Engaine, Sir Simon de Drayton, knights, and seven others named. 9 Edw. III. Five heraldic and five other seals.

Release by John, son and heir of Roger Giffard, of Cotterstock, cousin and heir of John Giffard, lord of Cotterstock, clerk, to Henry Mulso of Geddington, of all his right in a fourth part of the manor of Little Oakley, with certain services in Great Newton. 35 Edw. III. Seal.

Grant by Henry de Geytington, clerk, and John Basset of Rushden (Rushenden), chaplain, to William Purly, of Oakley and Matilda his wife, of the fourth part of the manor of Little Oakley, called "Gyffards' place," which they had of the grant of Henry Mulsho. 42 Edw. III. Seal.

Grant by John Basset and Henry Drayton to Richard Erchebaud and Matilda his wife, for life, of the manor of Little Oakley and the advowson of the church, which they had of the grant of William Pirly, with remainder to Peter son and heir of William Pirly and the heirs of his body, and to William brother of the said Peter and the heirs of his body, and to the heirs of the bodies of the said Richard Erchebaud and Matilda his wife. 49 Edw. III.

A box containing six volumes of registers of the baptisms, marriages, and burials, in the following parishes, &c.—

Stanford, co. Northampton.	A.D. 1607-1668.
Swinford, co. Leicester.	A.D. 1559-1632.
"	A.D. 1706-1741.
Claybrook, co. Leicester.	A.D. 1563-1636.
"	A.D. 1637-1664.
"	A.D. 1664-1685.

A large roll of parchment containing copies of deeds of the fourteenth century relating to property at Northampton, Cotes, Hardingstone, Wotton, and Coddington.

A bundle of eleven ancient deeds relating to property at East Greenwich.

A bundle of ancient deeds relating to property at Inworth, Wolscote, Pillesgate, Bernack, Oudeby, Berugh, Tybynton, Rowley, Catthorpe,

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Ellesborough alias Eeselborough, Olton, Keton, and Stornsworth, in various counties.

Subsidy Roll for the western division of the county of Northampton, A.D. 1628.

A bundle of letters and papers relating to Parliamentary elections in Leicestershire. A.D., 1710, 1714, 1716, 1741, 1762, 1768, 1774, 1775, 1790, and 1818.

A bundle of letters and papers relating the publication of Bridge's *History of Northamptonshire*. A.D. 1754-1768.

A volume of 22 leaves of paper ( $11\frac{1}{2} \times 8\frac{1}{2}$  in.) in an old leather cover. It contains a curious account of Philip the Good and Charles the Bold, Dukes of Burgundy. The first part is headed:—"Sensuit en brief la declaracion de tous les haulx fais et glorieuses aventures de duc Phelippe de Burgoingne, celui qui se nomme le duc et le grant lyon." The second part is headed:—"Icy apres que lacteur a fait mencion du pere mort ensemble parle du filz vivant, et commence en son regne." (Printed in *Œuvres historiques inédites de Sire George Chastellain*, 1837, pp. 502-511.) At the beginning and at the end of the volume are some verses in old French.

An oblong volume of 57 leaves of paper ( $6 \times 8\frac{1}{2}$  in.) newly bound in red, and lettered "Common-place Book." It contains music of the sixteenth century by, or in the style of, John Dowland. The following are the names of some of the pieces:—"The King's Pavane," "A fancye of Francys Myllayne," "O God that art my ryghtuusnes," "The base of Spayne," "Fantazia Frauncis de Myllayne," "Marke Antonys Gallyarde," "Pardye, I sayde not soe," "Care who so wyll," "Philips song," "If care do men cause crye," "The hedgyngge hay," "On wynters just retorne," "Quando claro, quando claro." Most of the pieces are dances, as pavans, galliards, a "saltrello," and the "antike." It appears that the first, or highest, string of the lute was tuned to E, the second to B, the third to F sharp, the fourth to D, the fifth to A, and the sixth, or lowest to E. The volume contains also verses of the sixteenth century, and recipes for cookery, a "remedy agaynst bytyngge of a mad dogge or mad man," and other specifics.

An oblong volume of 39 leaves of paper ( $5\frac{1}{2}$  in.  $\times$   $7\frac{1}{2}$  in.) containing music transcribed at different dates. Among the earlier pieces are "The Quene's galliard," "Jhonsones paven," "Spannesche paven," "Allisuns galleard," "Robert Sprignell," "Pavan, Holborn," "Allisons Gal[iard] per Ro[bert] Spr[ignell]," "Gal[iard] Collyard per Ro[bert] Spr[ignell]," "Dowland, per Ro[bert] Sp[rignell]," "Cydyppe, pav[an] per Ro[bert] Spr[ignell]," "Mr. Allisons Sharp pa[van] by Rob[ert] Sprig[nell]," "Doulandes Galliarde," "Ro[bert] Prime," "The L[ord] Souch (Zouche) his march," "Monsirs Almain," "Gal[iard] by Tho[mas] Sturgin."

Among the pieces in a later hand are "Phantazia, Thomas Robinson," "Moll Peddie," "The Queen's Coridon," "Wilson's wilde," "Tantara, or Leshleys March," "Mr. Mulloynes Coranto," "Mr. Mulloyns antick saraband," "Bow bells," "An Almaine by Captaine Winn," "An Allmaine by Mr. Robinson," "Coranto by Captaine Winne," "Mr. William Lawes Elizium or faire Phidelia," "When the K[ing] enjoys

his own again," "The L[ord] Chamberlaines maske," "Colonel Gerrards mistresse."

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The book bears the name of Matthew Otley.

A small quarto volume of 109 leaves of paper, newly bound, and lettered—"Heraldic Notes. W. Burton." It contains tricks of several hundred shields, made by William Burton, the historian of Leicestershire. The following are the chief contents:—

f. 9. Arms of Lord Mayors of London in the fifteenth and sixteenth centuries.

f. 22. Arms of colleges at Oxford and Cambridge.

f. 45. Arms of German princes and nobles.

f. 50. Arms of English heralds in the sixteenth and seventeenth centuries.

f. 53. Arms of gentle families co. Leicester.

f. 63. List of English officers at the siege of Terouenne, with the badges of their respective standards. A.D. 1513.

f. 65. Arms of gentle families co. Stafford. A.D. 1583.

f. 68. Arms in the windows in the hall of Serjeants' Inn, London. A.D. 1599.

f. 71. Account of the coronation of James I. by H. Repingdon of the Inner Temple, who was present.

ff. 19, 41, 75. Arms of noble and gentle families in Ireland.

f. 81. Copy of a roll of arms of the time of Henry VI., beginning with Waterton and ending with Ralph Blaklow.

f. 86. Copy of a roll of arms of noble and gentle families in the county palatine of Chester in the time of Edward III., beginning with the Earl of Chester, and ending with Redley.

f. 89. Arms of noble and gentle families co. York. A.D. 1616.

f. 97. Arms of gentle families county Warwick, at a visitation taken in 1619.

f. 102. Arms of gentle families co. Lincoln.

f. 105. List of noblemen and gentlemen co. Lincoln. A.D. 1617.

f. 107. Extracts from the roll of John Rous of Warwick.

f. 129. Arms of gentle families co. Kent, about A.D. 1593.

f. 139. Arms of Scottish lords.

f. 141. Lists of Sheriffs of the counties of Stafford, Northampton, Salop, and York.

f. 194. Arms of gentle families co. Warwick.

The references given are according to the old pagination, which is unfortunately interrupted in places by the absence of several pages. Interspersed among the above contents are tricks of shields that were to be seen in many private houses in the reigns of Elizabeth and James I., as at Solihull, Shuckburgh, Meriden, Wolston, Edgbaston, Tanworth, Balsall, Haseley, Hillmorton, Whitley, Packwood, Castle Bromwich, Baginton, Arbury, and Elmdon, co. Warwick, Fawsley, Winwick, Horton, Newton, and Weston Favell, co. Northampton, Belgrave and Drayton, co. Leicester, Willesby and Foremark, co. Derby, Rotherfield and Tisted, co. Southampton. There are also notes taken in the churches of Higham Ferrers, Newton, Pitsford, and Easton Maudit, co. Northampton. Inasmuch as many of the shields tricked have impalements and quarterings, this volume would repay careful examination. It has a good index of names of families.

A folio volume bound in brown leather, containing pedigrees of different families in the counties of Buckingham and Stafford, with their arms tricked. Some of the pedigrees end with the year 1583;

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others are brought down to the year 1605 in the same hand. The book seems to have been written by, or for, Robert Cooke, Clarencieux King of Arms. The following is a list of the pedigrees in the order in which they occur:—Lechingham, Hawtrey, Brudenell, Pigott, Belson, Wachell, Redman, Kingston, Cheney, Rufford, Lovett, Clarke, Norwood, Fowler, Collys, Pigott, Brightwell, West, Clanor, Foster, Longville, Ap-Rice, Ardes, Annesley, Fitz-Hugh, Chetwood, Bullock, Riseley, Porter, Purefoy, More, Mordant, Dormer, Sankey, Packington, Walweyn, Pigott, East, Duncombe, Wallinger, Meredith, Duncombe, Tyrill, Read, Riseley, Gedney, Temple, Woodford, Eyre, Pattman, Hawtrey, Brightinge, Jones, Bedenger, Woodward, Rookes, Hampden, Ruthall, Pigott, Packington, Hampden, Sandys, De Verdun, Arblaster, Wells, Hill, Endesore, Leigh, Grosvenor, Harper, Mowlisley, Whorewood, Leveson, Giffard, Broxton, Wrotesley, Colyar, Wirley, and Skrimshire.

A thin folio volume of genealogical collections relating to the family of Temple down to the year 1702. It also contains pedigrees of the families of Beaufor, Grey, Spencer, Sandys, and Leveson, with trickings of their arms.

A small folio volume of 21 leaves of paper. It contains:—

f. 3. "Instructions for our cozen the Earl of Essex and the Lord Howard, our High Admirall, how to use themselves for execution of the commission given to them by us for some service to be done against the common enimie. Dated at Greenwich the 15th of May in the 36<sup>th</sup> yeare of our raigne, 1596."

f. 7. A paper beginning:—"There are two questions proposed. The first is if the government of a stranger be more to be desired than that of a home borne Prince."

f. 15. "An Epistle dedicatory of the Lord Henry Howarde in the beginning of a booke called, The Exhortations of Charles the fifth to his son King Phillipp, upon the yielding up the government of his dominions to him. Translated out of the Spanish by the said Lord, and dedicated to her Majestie as followeth."

f. 20. A treatise "Of the five periods of 500 yeares through the course of our English History from Brute to Queen Elizabeth."

A white volume entitled:—"A surveye made of the Castles, Fortes, Blockhouses and Platformes placed on eather side of Thames and Medway, and also of the Castles and Fortes with all their Fortifications along the Coastes of Kent, Sussex, Hampshire, and so onwards on the South Coast westward to the Land's End, including the Fortes of Cornwell, by Sir Richard Morrison, knight, Lieutenant of his Majestis Ordnance, Sir John Ogle, knight and Coronell, and Sir John Kay, knight, Surveyor of his Majesties said Ordnance, by vertue of certain instructions from the Lords of his Highnes most honourable Pryvie Councell, date 30<sup>th</sup> July, 1623."

Another white volume entitled:—"A survey in pursuite of his Majesties instructions, by Mountjoy, Earle of Newporte, Master Generall of his Majesties Ordnance, assisted by Alexander Hambleton, Collonell, and Francis Coningesby, Esquire, Surveyor of his Majesties Ordnance, of divers of his Majesties Castles and Fortes." Signed by them, and dated January 14, 1636.

A folio volume of 71 leaves of paper, newly bound, and lettered—"Historical Memoirs." It contains:—

f. 2. Life of Henry Stafford, second Duke of Buckingham.

f. 17. Life of Edward Stafford, third Duke of Buckingham.

f. 28. "A discourse of passages between the Earl of Essex, Somerset, Northampton, the Countesse of Essex, Sir Thomas Overbury, [and] otheres, with their risings [and] falls, together with diveres otheres affayres as they occurred duriinge the late rayne of K[ing] Jamcs, and also of the Duke of Buckingham, his first coming into favour."

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A folio volume containing transcripts of letters of the time of James I. and Charles I. The following are given, but not in chronological order.

(f. 43.) May 31, 1620. The Council to the Lord Lieutenant of Northamptonshire. Orders for a muster. The beacons to be kept in good repair.

(f. 44.) The Lord Lieutenant of Northamptonshire to his Deputy Lieutenants. Orders for a muster at Kettering on the 10th of August.

(f. 47.) June 11, 1623. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. Orders for a muster.

(f. 3.) December 23, 1623. Whitehall. The Council to the justices of the peace in Northamptonshire. Orders for the strict execution of the statute of Winchester concerning watches and wards, and the statutes against rogues and vagabonds, and those concerning "osteryes" (inns), alehouses, and drunkards. Able-bodied watchmen to be appointed in all towns and villages. Search to be made at least once a month for suspicious persons, rogues, and idlers. The houses of correction to be examined. The price of corn being high in the northern and western parts of the realm, all such alehouses as are not needful are to be suppressed.

(f. 49.) December 31, 1623. Hampton Court. The Council to the Lord Lieutenant of Northamptonshire. Orders that the trained bands be kept up to their full number as in past times.

(f. 25.) June 13, 1624. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. The King has concluded a treaty with the United Provinces, and consented to the raising of 6,000 voluntary soldiers for their defence against the Emperor and the Roman Catholic league. Assistance is to be given to the Earls of Oxford, Southampton, and Essex, and Lord Willoughby, the Colonels deputed by the ambassadors of the States. The country will doubtless be "disburthened" of many unnecessary persons who have no employment and live lewdly and unprofitably. Any persons who, after receiving "imprese money," run away from their captains or conductors, are to be apprehended.

(f. 29.) October 29, 1624. Royston. The King to the Earl of Exeter, Lieutenant of Northamptonshire. Warrant for the impressment of able men to serve in the war for the recovery of the Palatinate.

(f. 30.) October 31, 1624. Whitehall. The Council to the same. Instructions as to the levy of three hundred men in the county of Northampton. They are to be of able bodies, and fit for employment, but none of them are to be taken from the trained bands. They are to be in readiness at an hour's warning by or before the last of November, to march from the place of levy to the port of Dover. In respect of the diversity of their habitations it is uncertain what amount of conduct-money will be required to take them to the sea-side, the accustomed rate being  $\frac{1}{4}$ d. a mile. The soldiers are therefore to receive their ordinary pay of 8d. a day from the time of their assembly. They will be expected to march not less than twelve miles a day.

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(f. 31.) November 2, 1624. St. Leonard's near Newark. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends copies of the two preceding letters.

(f. 32.) November 3, 1624. Whitehall. G. Carew and four others, to the collectors of the subsidy in the county of Northampton. Order for the payment of money for three hundred foot-men at the rate of 8d. a piece per diem.

(f. 10.) November 30, 1624. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. The King has given permission to the Earl of Lincoln to raise a troop of horse of three hundred volunteers to serve in the expedition under Count Mansfield.

(f. 13.) December 7, 1624. St. Leonard's near Newark. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends a copy of a letter from the Council. The Earl of Lincoln is thirsting for employment.

(f. 27.) May 5, 1625. Westminster. The King to the Lord Lieutenant of Northamptonshire. Warrant for the impressment of two hundred able men to serve in the war on behalf of the King's sister.

(f. 5.) May 6, 1625. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. Instructions as to the levy of two hundred foot-soldiers in the county of Northampton. The place of their rendezvous to be at Plymouth on the 20th instant.

(f. 7.) May 6, 1625. St. John's. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends a copy of the letter from the Council.

(f. 14.) May 13, 1625. London. The Earl of Exeter to ———. He enjoins obedience to the orders of the Council, especially on the part of the clergy who are "exceedingly refractory in his majesty's service." He orders musters at Northampton on the 8th of June, and at Kettering on the following day.

(f. 28.) August 13, 1625. Woodstock. The King to the Lord Lieutenant of Northamptonshire. Order concerning the militia.

(f. 9.) August 23, 1625. Beaulieu. The King to the Lord Lieutenant of Northamptonshire. Warrant for the levy of a hundred able men to supply the places of some who were dead, or discharged from Plymouth.

(f. 8.) August 23, 1625. Southampton. The Council to the same. On the same subject.

f. 37.) September 7, 1625. The Earl of Exeter to his Deputy Lieutenants in the western division of Northamptonshire. On the same subject.

(f. 45.) Lord Burghersh and seven other Deputy Lieutenants of Northamptonshire to their Lord Lieutenant. They have made a list of the persons whom they believe able to lend money for the King's service. Most of the chief gentry and men of quality live at the height of their means, spending a great part thereof in his Majesty's service. Many are already in debt. If they wished to borrow in order to lend they would not know how to get money, it being dangerous to have access to the city where the bankers are. Those of the inferior sort have been much weakened by the many frequent payments with which they have been charged, and also by the present stoppage of trade and commerce occasioned by the hand of God in the City of London and other places. A subsidy moreover is now being collected, and another is shortly to be raised. The sum that could be raised by loan would not be worthy of acceptance. Further directions in the matter are desired.

(f. 22.) October 24, 1625. Newark. The Earl of Exeter to his Deputy Lieutenants in the western division of the county of Northampton. He has received from them certificates of fit persons for privy seals. Their division is as large as the eastern, yet they are short by 300*l*. If they cannot amend this, they are to send him the subsidy-book. The sum to be lent in the eastern division amounts to 735*l*. To certify ciphers for figures will subject them and him to a sharp rebuke.

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(f. 16.) January 13, 1625[-26]. Newark. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends a letter which he has received from the Council, accompanied by two books of instructions about musters and arms. These are to be sent from one Deputy Lieutenant to another, and finally brought to him at Burghley.

(f. 1.) February 28, 1625[-26.] Whitehall. The Council to the Commissioners for the subsidy in the county of Northampton. They complain that whereas the subsidy in that country in the first year of Elizabeth yielded 1,615*l*. 11*s*. 11*d*., that in the eighteenth of King James yielded only 897*l*. 14*s*. 6*d*. They are therefore to raise the assessment, beginning with themselves.

(ff. 40 and 56*b*.) May 21, 1626. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. Orders for a muster of all the trained bands.

(f. 53.) May 24, 1624. Westminster. The King to the Council. (See Domestic State Papers, xxvii. 52.)

(f. 56.) June 11, 1626. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. (See a similar letter in Domestic State Papers, xix. 70.)

(f. 56.) June 19, 1626. London. The Earl of Exeter to [his Deputy Lieutenants in the County of Northampton]. He sends copies of letters from the King and the Council.

(f. 56*b*.) Same day and place. The same to the same. Stringent orders for a muster of foot and horse on the 7th of September.

(f. 51.) July 7, 1626. Westminster. The King to the Justices of the peace in the county of Northampton. (See Domestic State Papers, xxxi. 30.)

(f. 52.) The same to the same. (See Domestic State Papers, xxxi. 31.)

(f. 54.) July 10, 1626. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. The great and threatening preparations made in Spain and Flanders show that the King's enemies have some design upon his dominions. He has a great fleet ready to put to sea, and another fleet in preparation for the defence of the narrow seas. The arms of the trained bands are to be carefully examined, so that they may be complete according to the modern fashion. Soldiers are to be instructed in the exercise of their arms, in files, in squadrons, in whole companies, in regiments, and lastly in one body. Officers and soldiers alike are to take the oath of supremacy and allegiance. All able men between the ages of sixteen and sixty are to be enrolled. The number of horsemen is to be increased if possible. The arms of recusants may be taken and used on payment of their value to the owners. Minute instructions about munitions of war.

(f. 55.) July 13, 1626. St. John's, London. The Earl of Exeter to [his Deputy Lieutenants in the county of Northampton]. He commends to them the letter which he received on the previous day to the Council.

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(f. 38.) September 25, 1626. Newmarche. The Earl of Exeter to his Deputy Lieutenants in the western division of the county of Northampton. He has charged the town of Northampton with four horses. He sends a list of the persons whom he considers not fit to undergo the charge of providing the arms charged upon Northampton, viz. Mr. Serjant the Mayor, Mr. Marten, Mr. Bradford, Mr. Cooper, and four others.

(f. 58 b.) February 9, 1626-7. The King to the Lord Lieutenant of Northamptonshire. He intends to send to his uncle the four regiments that are now in the Low Countries. The defects of these four regiments are to be made up in England, for which object one hundred men are to be levied in the western division of the county and fifty in the eastern.

(f. 55b.) February 10, 1626[-7]. Whitehall. The Council to the Commissioners for the loan in the county of Northampton. The returns made to his Majesty from most parts of the kingdom express the good affection of his subjects. From the eastern division of Northamptonshire he has received good satisfaction, but in the western he has found much contradiction. He lays the blame on those who have not only refused him in the country, but highly offended him in London. The coat and conduct money that was paid to the soldiers for the last voyage to Calais may be deducted out of the loan. The collection is to be hastened.

(f. 59.) February 28, 1626[-7]. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. Orders for the levy of a hundred and fifty men, not drawn from the trained bands, to be brought to the port of London by the 25th of March. They are to receive 8*d.* a day apiece.

(f. 60.) March 2, 1626[7]. Whitehall. The Lord Treasurer and the Chancellor of the Exchequer to the Lord Lieutenant of Northamptonshire. Minute instructions about coat and conduct money.

(f. 59 b.) March 6, 1626[-7]. St. John's, London. The Earl of Exeter to [his Deputy Lieutenants in the county of Northampton]. He sends copies of the two preceding letters.

(f. 19.) March 14, 1626 [-7]. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. Orders for a muster at Whitsuntide, a very convenient time.

(f. 20.) March 16, 1626 [-7]. St. John's, London. The Earl of Exeter [to his Deputy Lieutenants in the county of Northampton]. He sends a copy of the preceding letter.

(f. 60 b.) April 30, 1627. The Lord Treasurer and the Chancellor of the Exchequer to the Lord Lieutenant of Northamptonshire. Instructions about the payment of coat and conduct money.

(f. 58.) May 3, 1627. St. John's. The Earl of Exeter to [his Deputy Lieutenants in the county of Northampton]. He sends a copy of the preceding letter.

(f. 62.) June 24, 1627. St. John's, London. The same to the same. He reproves them for their slowness in the King's service, in the matter of the musters.

(f. 62b.) July 28, 1627. Westminster. The King to the Lord Lieutenant of Northamptonshire. (See Domestic State Papers, lxxii. 27.)

(f. 63.) July 31, 1627. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. Orders for the levy of a hundred foot soldiers.

(f. 66.) August 24, 1627. Whitehall. The same to the same. (See Domestic State Papers, lxxiv. 90.)



(f. 61.) October 17, 1627. Worthrope. The Earl of Exeter to his Deputy Lieutenants in the western division of the county of Northampton. He sends a copy of a letter from the Deputy Lieutenants of the eastern division, which shows great care and respect for his Majesty's service. He demands accounts. LORD BRAYE'S  
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(f. 23.) November 30, 1627. Whitehall. The Council to the Deputy Lieutenants and Justices of the Peace in the county of Northampton. Many of the soldiers lately returned from the Isle of Rhé run from their colours. Diligent watches are therefore to be set upon all the usual roads adjoining the counties where soldiers are billeted. If runaways come in great numbers, as ten or twenty at a time, the leaders are to be examined and committed to the nearest prison for an example to others. The rest are to be sent back to their colours. If there be so many as cannot be ruled by the constables and their associates, the Deputy Lieutenants are to draw out the requisite number of men in the trained bands. Any vagabonds pretending to be soldiers are to be committed to prison.

(f. 66 b.) January 10, 1627[-8]. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. The King, understanding that many trained bands are very ill furnished, intends to take a view and muster of the horse of several shires. The horse of Northamptonshire are to appear before him at Hounslow Heath on the 21st of April. If any man shall appear with a borrowed horse or borrowed armour he will be proceeded against as a contemner of the royal commands.

(f. 67b.) January 23, 1627 [-8]. St. John's, London. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends a copy of the preceding letter.

(f. 33.) January 1627. "The danger wherein the kingdome now standeth and the remedye, written by Sir Robert Cotton, knight and Barronet."

(f. 50.) February 10, 1627[-8]. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. The soldiers billeted in the county of Buckingham are to be removed into that of Northampton, the greater part to be billeted in the western division thereof. Their charges, at the rate of 3s. 6d. a week for every man, will be repaid from the Exchequer.

(f. 49b.) February 11, 1627 [-8]. St. John's, London. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends a copy of the preceding letter.

(f. 50b.) Same day and place. The same to the same. Concerning the muster of the horse in the presence of the King.

(f. 64.) February 13, 1627[-8]. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. (See Domestic State Papers, xciii. 23.)

(f. 65.) February 18, 1627[-8]. St. John's, London. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends a copy of a letter from the Council.

(f. 41.) March 11, 1627[-8]. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. The expense of billeting the soldiers is to be charged equally upon the two divisions of the county.

(f. 42.) Same day and place. The same to the same. No more voluntaries are to be billeted.

(f. 68.) March 13, 1627[-8]. Whitehall. The same to the same. Hearing that the troops in most counties are "so defective and in so ill equipage" that they cannot be made complete by the 21st of April, the King has adjourned the general muster until the 11th of June.

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(f. 68. b.) March 18, 1627[-8.] St. John's, London. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends a copy of a letter from the Council.

(f. 69.) April 7, 1628. St. John's, London. The same to the same. The King expects that all Deputy Lieutenants will show their light horses on the occasion of the muster on Hounslow Heath.

(f. 69. b.) June 12, 1628. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. (See Domestic State Papers, cvii. 9.)

(f. 70.) June 15, 1628. St. John's, London. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends a copy of a letter from the Council. He reproves them for not writing to him concerning the business of Wellingborough. Complaint has been made at the Council table, and he can give no account of the matter. He therefore desires speedy information.

(f. 70. b.) July 18, 1628. Whitehall. The Council to ———. The soldiers billeted in the county are to be removed to Portsmouth. Carts for them are to be charged at the rate of 2*d.* a mile.

(f. 71.) August 15, 1628. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. Concerning the repayment of the charges for billeting soldiers. The accounts will be carefully examined. "The exhausted state of his Majesty's revenue cannot possibly afforde that all which is dewe should be paid at once." Sums due to particular billeters, keepers of victualling houses and people of the meaner sort are to be paid first.

(f. 11.) 1628. "A copie of a letter that was found amongst some Jesuits that were taken lately at London, and addressed to the Father Rector att Bruxells." About the calling of Parliament and its probable proceedings, the Duke of Buckingham, the spread of Arminianism, the Roman Catholics disguised as Puritans, the army, the high price of coal, &c.

(f. 47. b.) 1628. "The Bishopp of Exeter's letter to the Parliament."

(f. 72.) July 27, 1629. Worthrope. The Earl of Exeter to his Deputy Lieutenants in the western division of the county of Northampton. (See Domestic State Papers, cxlvii. 45.)

(f. 72. b.) December 21, 1629. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. Minute instructions concerning musters.

(f. 73.) December 28, 1629. St. John's, London. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends a copy of a letter from the Council.

(f. 73. b.) January 20, 1629[-30.] St. John's, London. The same to the same. He complains of the slowness of their proceedings, mentioning the "ill censure" which is already upon their county.

(f. 74.) February 11, 1629[-30.] Kettering. The Earl of Westmoreland, Sir Lewis Watson, Sir Guy Palmes, Sir Thomas Cave, and William Lane, to the Earl of Exeter. Since the musters have become almost annual, the muster-master has received a stipend of 50*l.* a year. The soldiers are able in the performance of their duties.

(f. 75.) April 30, 1629. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. Instructions concerning musters.

(f. 77.) May 15, 1629. St. John's London. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends a copy of a letter from the Council. He orders a muster on the 1st of September.

(f. 77. b.) August 5, 1629. St. Leonard's, Newark. The same to the same. If the warrants have not been sent out, the muster may be deferred for a fortnight. LORD BRAYNE'S  
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(f. 79.) June 30, 1630. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. Orders for a muster.

(f. 80.) July 24, 1630. St. Leonard's, Newark. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends a copy of a letter from the Council.

(f. 79. b.) August 30, 1630. [The Deputy Lieutenants of Northamptonshire?] to the chief constable of the Hundred of Guilsborough. Orders for a muster at Northampton Castle on the 4th of October.

(f. 81.) May 31, 1631. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. Instructions for musters. The Captains are to put their companies in files and exercise them "upon holy dayes and otherwise when they commonly spend their time in drinking and unlawfull exercises."

(f. 83.) June 6, 1631. Certificate sent to the High Sheriff of Northampton. (See Domestic State Papers, cxci. 34.)

(f. 82.) June 14, 1631. St. John's, London. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends a copy of a letter from the Council. Some officers have been negligent concerning the last muster. They are to receive their ancient pay which is to be levied in the county. He hopes that the care of his Deputy Lieutenants in this year's service will "redeeme the old blemish of Northamptonshire."

(f. 84.) July 28, 1631. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. Some refractory persons in several counties refuse to pay the rates at which they are assessed for the "entertainment" of the muster-masters, though they are no more than heretofore. The assessments are to be signed by the Lord Lieutenant or his Deputy. Persons who refuse to pay the rates are to be bound over to appear before the Council.

(f. 85.) August 6, 1631. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends a copy of the preceding letter.

(f. 86.) September 7, 1631. Worthrope. The Earl of Exeter to his Deputy Lieutenants in the western division of the county of Northampton. He sends a draft of a warrant for the money for the musters. Their division is much in arrears towards the muster-master.

(f. 86.) Same day. The same to the chief constables of the Hundred of Wimmersleigh. On the same subject.

(f. 87.) Draft warrant for a muster.

(f. 87b.) February 11, 1631[-2]. St. John's, London. The Earl of Exeter to [his Deputy Lieutenants in the county of Northampton?] The Council are very well pleased with their care and diligence in the King's service. He sends instructions about the payment of the officers.

(f. 88.) February 28, 1631[-2]. Whitehall. Order made after the examination of William Waters, High Constable of the Hundred of Towcester before the Council.

(f. 89b.) March 2, 1631[-2]. Whitehall. Order made after the examination of Matthew Selby, Mayor of Northampton, before the Council.

(f. 88b.) April 10, 1632. St. John's, London. The Earl of Exeter to his Deputy Lieutenants in the county of Northampton. He sends copies of the two preceding orders.

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(f. 89.) April 30, 1632. Whitehall. The Council to the Lord Lieutenant of Northamptonshire. Order concerning musters.

(ff. 48, 60b, 61b.) Undated letters concerning musters and assessments.

(f. 57.) N.D. [1624?] Richard Knightley, Thomas Cave, and Thomas Elmes to the Earl of Exeter, and also to the Countess. They desire that Sir William Spencer should be re-appointed a Deputy Lieutenant.

(f. 57b.) N.D. [1625 or 1631?] H. Farmor, Thomas Cave, Richard Knightley, and Thomas Elmes, to the Council. On Monday the 31st of October they went to the house of Mrs. Elizabeth Vaux accompanied by the Under-Sheriff of the County. They showed their authority to Lord Vaux and his mother and then made search for arms. Mr. William Vaux, a Romish recusant, brother to Lord Vaux, complained that they could not be treated worse unless their throats were cut. Mr. Knightley admonished him to forbear swearing, but he only redoubled his oaths. Mr. Knightley desired that Mrs. Vaux of Lord Vaux should satisfy the penalty of the statute for him; and, on their refusal, sent for a constable of the town to distrain any of the goods of Mr. William Vaux. When they all returned to the hall of the house, Lord Vaux pushed Mr. Knightley out, saying that had no longer any business there. When he refused to leave Lord Vaux struck him several times with his fist, and knocked down his servant with a cudgel.

A folio volume of 75 leaves of paper, newly bound, and lettered—  
“Proceedings against Strafford and Laud, 1641-1644.”

f. 1. “The proceedings against Thomas, Earle of Strafford, Lord Lieutenant of the Kingdome of Ireland, in the English Parliament, 1641.” There is in the library of the House of Commons a printed copy of this tract, entitled—“A briefe and perfect relation of the answeres and replies of Thomas Earle of Strafford, to the articles exhibited against him on the thirteenth of Aprill, An. Dom. 1641. London. Printed 1647.” There are, however, many verbal differences, the text of this manuscript being better than that of the printed tract. The manuscript also contains verses, beginning—

“Great Strafford, worthy of that name, though all,”

and the Epitaph beginning—

“Here lies wisdom, courage, wit,”

(Both of these are printed, with some variations, in Somers's *Tracts*, vol. iv., pp. 296, 297. A great part of this tract is reprinted, without acknowledgement, in Nalson's *Impartial Collection*, vol. ii.)

f. 29. “Originall papers in Parliament att the tryall of the Archbishopp of Canterbury.” These are elaborate notes taken from day to day by a person present at the trial of Archbishop Laud. They differ from those published by Prynne and by Heylin. On f. 30 there is a note—“December 1, 1676. Memorandum. I have some loose papers of Mr. Browne's relateing to this business, which being att my chamber att the other end of the Towne, I cannot goe my selfe now for them, by reason of a bruise I received by a fall this slippery weather : but I will deliver them to Mr. Browne him selfe, when hee comes to Towne. Jo. Rushworth.”

A folio volume of 145 leaves of paper, newly bound and lettered—**LORD BRAYNE'S MSS.**  
 "Westminster Assembly of Divines. 1644-1646." It contains:—

"The humble advise of the Assembly of Divines now sitting by Ordinance of Parliament at Westminster, concerning Church Government." Subscribed by William Twisse, Prolocutor, Cornelius Burges and John White, assessors, and Henry Roborough and Adoniram Byfield, scribes. Endorsed:—"Received 11<sup>o</sup> Dec. 1644."

"The humble Petition of the Assembly of Divines now sitting by ordinance of Parliament in Westminster." Subscribed by John White, Prolocutor pro tempore, Henry Roborough and Adoniram Byfield, scribes. Endorsed:—"4 Augusti 1645."

"The Answer of the Assemblie of Divines by authoritie of Parliament now sitting at Westminster unto the Reasons given in to this Assemblie by the dissenting Brethren of their not bringing in a modell of their way, and since published in print under the title of A Coppie of a Remonstrance." Subscribed by Cornelius Burges, Prolocutor pro tempore, and Adoniram Byfield, scribe.

"The Reasons of the dissenting Brethren against the Third Proposition concerning Presbiteriall Government." Certified by Adoniram Byfield, scribe, as a true copy of the original document subscribed by Thomas Goodwin, Philip Nye, Jeremiah Burroughes, Sydrach Simpson, William Bridge, Willsam Greenhill and William Carter.

"The Answer of the Assembly of Divines to the reasons of the dissenting Brethren against the 3rd Proposition concerning Presbiteriall Government." Subscribed by Cornelius Burges, Prolocutor pro tempore, John White, assessor, Henry Roborough and Adoniram Byfield, scribes.

"The humble Advice of the Assembly of Divines now sitting at Westminster, by authority of Parliament, concerning a Confession of Faith, which is here presented whole and entire." Subscribed by Charles Herle, Prolocutor, Cornelius Burges and Herbert Palmer, assessors, Henry Roborough and Adoniram Byfield, scribes.

A folio volume bound in white, being a Common-place book of John Browne. It contains:—

f. 10. Speech of James I. in Parliament. April 5, 1614. (*Parliamentary History*, vol. i. c. 1149.)

f. 13. Commission from James I. to Sir John Digby. April 16, 1617.

f. 15. The heads of the charge against the Earl of Oxford.

f. 16. Proceedings at the Court. Jan'y 15. 1620.

f. 17. Sir Edward Sackville's speech in Parliament. 1621.

f. 23. Sir Edward Cecil's speech in Parliament. February, 1620  
 [-1].

f. 29. Sir James Perrott's motion in Parliament. June 4, 1621.  
 (Part given in *Parl. Hist.* vol. i. c. 1293.)

f. 33. Letter from James I. to the Speaker of the House of Commons. December 3, 1621 (*Parl. Hist.* vol. i. c. 1326.)

f. 35. Petition to be sent to the King at Newmarket on the 8th of December, 1621. (*Parl. Hist.* vol. i. c. 1323.)

f. 41. Petition sent to the King on the 8th of December, 1621.  
 (*Parl. Hist.* vol. i. c. 1333.)

f. 46. Heads for a petition for the better execution of the laws against seminary priests and Popish recusants.

f. 48. Answer of James I. to the apologetic petition of the Commons.  
 (*Parl. Hist.* vol. i. c. 1338.)

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- f. 60. Letter from James I. to Secretary Calvert. December 16, 1621. (*Parl. Hist.* vol. i. c. 1350.)
- f. 63. Protestation of the Commons. Dec<sup>r</sup> 18, 1621. (*Parl. Hist.* vol. i. c. 1361.)
- f. 65. Letter from James I. to the Speaker of the House of Commons. Dec<sup>r</sup> 17, 1621. (*Parl. Hist.* vol. i. c. 1355.)
- f. 67. Petition from the Commons. Dec<sup>r</sup> 18, 1621. (*Parl. Hist.* vol. i. c. 1359.)
- f. 68. The King's answer. Dec<sup>r</sup> 19, 1621. (*Parl. Hist.* vol. i. c. 1361.)
- f. 69. A letter of news from N. N. Gives particulars concerning the siege of Frankenthal, Lord Digby's mission to Vienna, and his interview with Mansfeld. Lord Digby is said to be about to go to Spain.
- f. 75. Letter from Ferdinand II. to James I. Vienna. January 14, 1621. (Latin.)
- f. 76. Speech of Dr. Williams, Lord Keeper of the Great Seal, in the Chancery. October 9, 1621.
- f. 84. Letter from James I. to Ferdinand II. Royston. November 12, 1621. (English.)
- f. 89. Speech of Sir Henry Yelverton, Attorney General, in the Court of Star Chamber. November, 1620.
- f. 93. Speech of Charles I. in Parliament, June 18, 1625. (A different version is given in *Parl. Hist.* vol. ii. c. 1.)
- f. 94. The Lord Keeper's speech. (A different version given in *Parl. Hist.* vol. ii. c. 3.)
- f. 96. Two speeches by Sir Thomas Crewe, Speaker of the Commons, and answers thereto by the Lord keeper, June 20, 1625. (Part given in *Parl. Hist.* vol. ii. c. 3.)
- f. 103. Petition from both Houses to the King. June 24, 1625.
- f. 104. Another petition from both Houses to the King. July, 1625.
- f. 110. Reasons of Sir Edward Coke on behalf of the Commons. August [5], 1625. (Cf. *Parl. Hist.* vol. ii. c. 11.)
- f. 113. Speech of Charles I. at Christ Church, Oxford. August; (*sic*) 1625. (*Parl. Hist.* vol. ii. c. 8.)
- f. 114. Declaration of the King's affairs. (*Parl. Hist.* vol. ii. c. 9.)
- f. 118. Speech of the Lord Keeper.  
Speech of the Duke of Buckingham. (Part given in *Parl. Hist.* vol. ii. c. 25.)
- f. 128. The King's answers to the sixteen remedies against the increase of Popish recusants. (*Parl. Hist.* vol. ii. c. 22.)
- f. 131. Declaration of the Commons. August 12, 1625. (*Parl. Hist.* vol. ii. c. 37.)
- f. 132. "An advertisement to a friend." The Parliament broke up in discontent. The Duke of Buckingham seemed hardly excusable. [August, 1625.]
- f. 134. Articles of marriage between the Elector Palatine and the Princess Elizabeth. (Latin.)
- f. 137. Letter from Pope Gregory XV. to the Bishop of Conches. Inquisitor-General in Spain. April 19, 1623. (Latin.)
- f. 139. Answer from the Prince of England to the Pope's letter Madrid. July 8, 1623. (English.)
- f. 141. Articles of marriage between the Prince of England and the sister of the King of France. November 30, 1624.
- f. 148. Speech of James I. in Parliament. February 19, 1623. (*Parl. Hist.* vol. i. c. 1373.)

- f. 151. The Lord Keeper's speech. February 19, 1623.
- f. 152. The Duke of Buckingham's relation to both Houses. February 24, 1623.
- f. 165. Speeches of the Speaker and the Lord Keeper. February 21, 1623. (A different version given in *Parl. Hist.* vol. i. c. 1376).
- f. 176. Conference between the two houses. March 2, 1623.
- f. 181. Reasons offered by the Commons for breaking off the treaty for the Spanish match, and that for the Palatinate.
- f. 183. Letter from the King of Spain to Conde Olivares. November 5, 1622. (English).
- f. 184. Answer of the Conde Olivares. November 8, 1622. (English).
- f. 188. Collections out of Sir Richard Weston's report to the Commons. March 4, 1623.
- f. 191. Collections out of Secretary Cottington's report.
- f. 194. Message of both Houses delivered to the King at Theobald's by the Archbishop of Canterbury. (*Parl. Hist.* vol. i. c. 1387.)
- f. 195. The King's answer thereto. March 5, (sic) 1623. (*Parl. Hist.* vol. i. c. 1387.)
- f. 200. The Prince's speech to a Committee of both Houses. March 11, 1623.
- f. 202. Speech of James I. at Whitehall. March 14, 1623. (*Parl. Hist.* vol. i. c. 1395.)
- f. 207. Speech of the Duke of Buckingham to both Houses in the Painted Chamber. March 15, 1623, or Wednesday, March 17, 1623.
- f. 210. Letter from the King, read in Parliament by the Lord Keeper on the 17 of March, 1623.
- f. 211. Articles to be seen into speedily.
- f. 212. Petition from both Houses to the King. March 23, 1623. (*Parl. Hist.* vol. i. c. 1398).
- f. 214. The King's answer thereto. (A different version is given in *Parl. Hist.* vol. i. c. 1403.)
- f. 216. Speech of Sir Thomas Crewe. May 28, 1624. (*Parl. Hist.* vol. i. c. 1498.)
- f. 223. Articles of the league between the Kings of France and England, the Commonwealth of Venice and the Duke of Savoy.
- f. 225. The Earl of Northumberland's discourse of the proceedings between himself and Sir Francis Vere.
- f. 231. Letter from Anne Boleyn to Henry VIII. found among Cromwell's papers. Dated from the Tower, May 6 [1536].
- f. 234. Message from Queen Elizabeth to certain members of the House of Commons. May 27, 1571.
- f. 235. Proclamation for calling in Dr. Cowell's *Interpreter*. March 25, 1610.
- f. 237. Letter from Sir John Maynard to one about the King, concerning the state of affairs in London. August, 1648.
- f. 239. Paper given by Charles I. to the Princess Elizabeth when she came to take leave of him, containing the speech which he would have made in Westminster Hall on Monday the 22nd of January 1648[-9], if he had been allowed to speak further about his reasons.
- f. 243. Queries propounded by sundry clergy of the diocese of London concerning the oath enjoined by the 6th Canon.
- f. 247. Extracts from a book in the hand of Anderson, Lord Chief Justice, concerning commitments without cause shown.
- f. 252. Declaration by the Assembly of Divines, and by authority of Parliament, against the blasphemous opinions in Mr. Archer's book.

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f. 256. Protestation of the Doctors of Divinity at Oxford concerning the oaths of supremacy and allegiance. February 16, 1641.

f. 257. Protestation of Queen Henrietta Maria at her departure from Scheveling. February 25, 1643. (*Rushworth's Collections*, part iii., vol. ii., p. 163.)

f. 259. Answer from both Houses to the King. April 1643. Intended, but not sent.

f. 264. The oath of the Clerk of the Parliament.

f. 264. Proposals sent by the General and Council of the Army to the Commissioners of Parliament. 1647.

f. 277. Commission to Lord Inchiquin to be President of Munster. January 14, 1644.

f. 280. Instructions for the President of Munster.

f. 289. Manifesto of Charles I. concerning the Palatinate.

f. 288. Propositions of the Commissioner of the Queen of Sweden to the English Parliament. March 31, 1645.

f. 292. Answer of the Parliament thereto. Same day.

f. 296. Letter from the Commissioners for the Parliament of Scotland to the Speaker of the House of Peers. January 24, 1645.

f. 303. Forms of direction for royal letters.

f. 304. List of cathedral and collegiate churches in England and Wales.

f. 306. Act for erecting a High Court of Justice for the trial of James, Earl of Cambridge, Henry, Earl of Holland, and others.

f. 308. Warrant for the execution of the Earl of Cambridge. March 6, 1648.

f. 310. Instructions for Viscount Falkland, Lord Deputy of Ireland. August 4, 1622.

f. 321. Statutes of the Order of the Garter, as reformed by Henry VIII., with additions by Philip and Mary.

f. 355. Grant by Charles II. to Sir Richard Browne, Bart., of the office of Muster-Master General. March 30. 13 Car. II.

f. 356. Table of the revenues and tenths of the different bishopricks in England and Wales.

f. 358. Notes concerning proceedings in Chancery.

f. 361. Queries concerning Convocation.

f. 364. Letter from the King of France to the Pope. August 30. 1662. (English.)

f. 364. Letter from the same to certain Cardinals. Same date.

f. 366. Challenge sent by the Earl of Middlesex to the Earl of Bridgewater. 1663.

f. 367. Propositions delivered to the King by the Earl of Strafford for securing his estate and bridling parliaments.

f. 379. Letter from Sir Walter Raleigh to James I.

f. 381. Sir Walter Raleigh's protestation at his death.

f. 382. Letter from Gilbert, Archbishop of Canterbury, to the Bishop of London, concerning conventicles. June 8, 1669.

f. 383. Letter from Humphry, Bishop of London to the Bishop of Peterborough, concerning the same. June 20, 1669.

Instructions concerning conventicles. July 7, 1669.

f. 385. Letter from the King of France to the Pope. August 30. 1662. (English.)

f. 386. Paper brought into the House of Lords from the French Ambassador. January 25, 1673.

f. 401. Letter from the Duke of Monmouth to the Vice-Chancellor of Cambridge.



- f. 402. Heads of the articles between the King of Great Britain and the States of Holland. 1673. LORD BEAUTE'S MSS.
- f. 405. Petition to the Queen, for association in religion.
- f. 419. Letter to the Bishops (temp. Elizabeth).
- f. 435. The case of M. de Luzancy, a French preacher newly converted to the Protestant religion as established in England. 1675.
- f. 440. Letter from the Earl of Manchester to his son, Walter Mountagu. 1635.
- f. 450. Speech of Lord Lucas in Parliament, concerning a subsidy.
- f. 453. Speech of the Duke of Buckingham in Parliament, concerning Protestant dissenters.
- f. 455. Letter from the Earl of Shaftesbury to the Earl of Carlisle.
- f. 456. Retrenchments in the King's expenditure.
- f. 457. Commission from Charles I. to Thomas, Earl of Arundel, K.G., to be General of the army to be sent into the north.
- f. 460. List of Peers in the commission for the trial of Lord Cornwallis. June 30, 1676.
- f. 461. Speech of the Earl of Shaftesbury in the Court of King's Bench. June 29, 1677.
- f. 463. Information of Sir Robert Heath, Attorney-General, against Sir Robert Cotton, and others.
- f. 470. The Scots' reasons against the Book of Common Prayer. Edinburgh. August 1637.
- f. 472. Narrative of the life of John Packer, Esq., who was born at Twickenham, November 12, 1572, and died February 9, 1648.
- f. 478. Petition of Gilbert, Archbishop of Canterbury to the King, against toleration of Popery. 1663.
- f. 479. Petition of the Irish Bishops to Parliament, against toleration of Popery.
- f. 480. Declaration by John, Bishop of Worcester.
- f. 481. Speech of the Earl of Shaftesbury in Parliament in a debate on the King's Speech. Begins—"In this grate debate." Ends—"take counsel as he thinks fit." 1681.
- f. 486. Address from the Presbyterian ministers in London to the King. April 30, 1687.
- f. 486. Address from the Quakers to the King.
- f. 488. Declaration of Liberty of Conscience. April 4, 1687.
- f. 492. Letter from the Earl of Rochester to Dr. Burnet, written on his death bed. June 25, 1680.
- f. 493. Reasons of the House of Commons against toleration. Friday, February 27, 1662.
- f. 496. Petition of Roman Catholics to the House of Lords. June 10, 1661. Orders of the House concerning the same. June 11-28.
- f. 499. Speech of the Earl of Essex at the delivery of the petition from certain Lords. January 25, 1680.

Petition of the Duke of Monmouth and fifteen other Lords.

f. 502. Letter from Mercy Povey, in Lime Street, London, to Staffordshire, concerning the dissenters' complaint of their persecution.

f. 506. A letter from M. Fagel, Pensioner of Holland, to James Stewart, Advocate, giving the views of the Prince and Princess of Orange concerning the repeal of the penal laws, etc. November 4, 1687.

f. 513. Letter from a Jesuit in London to the College at Liège, intercepted and carried to the Prince of Orange.

f. 516. List of penal laws, etc. (continued from f. 498).

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- f. 520. Letter from Father Petre to Père la Chaise.  
 f. 526. Lines to the haters of Popery (by Partridge?) Begin:—  
 "Thus t'was of old when Israel felt the rod."  
 f. 527. Astrological notes for the year 1688.  
 f. 539. Letter from Père la Chaise to Father Petre. Dated at Paris,  
 July 8, 1688.

A small 4to volume bound in white, and entitled "Some Parliament Passages, annis 1621 et 1625." It contains a copy of the Latin treatise "Modus tenendi Parliamentum," and 67 other pieces, all, or almost all of which are also transcribed in the folio Common-place book last mentioned.

- A small 4to volume bound in brown. It contains:—  
 f. 1. An Act declaring and settling the Government, A.D. 1654.  
 f. 45. Report from the sub-committee of the full value of the revenues of the Commonwealth.  
 f. 55. Proposals made to the Parliament by a member thereof. September 7, 1655.  
 f. 57. Observations upon the proviso in the indenture of elections and upon the Protector's engagement imposed upon the Parliament the 12th of September, 1654.  
 f. 65. Remonstrance brought into Parliament by Alderman Pack. A.D. 1656.  
 f. 79. Conference with the Protector concerning kingship. April 9 and 11, 1657.  
 f. 117. The Protector's answer at the Conference of April 13, 1657.  
 f. 137. Further proceedings at the Conference, April 16, 1657.

A folio volume, bound in white, entitled "The Habeas Corpus, or the proceedings att the King's Bench Barr betweene the Kinge and divers of his subjects imprisoned in Michaelmas Terme in the third yeare of the raigne of our soveraigne Lord King Charles, Anno Domini, 1627."

A folio volume, bound in white, containing a few precedents for impeachments, &c.

A folio volume, bound in white, containing copies of the Petition of the Commons, the King's answer, &c. A.D. 1610.

A thin folio volume, bound in white, containing—

- (1.) "The State of the publicke accounts presented to the Lords in Parliament by the Commissioners that sat at Brooke House. Oct. 25, 1669."
- (2.) "An Act for the illegitimation of the children of the Lady Anne Roos, 18 & 19 Car. II."
- (3.) "An Act for John Manners, called Lord Roos, to marry again. 22 Car. II."

A folio volume bound in white. It contains "The tytles of all the pryvate Actes of Parlyament with notes what personnes and landes are towched in the same, from the begynnings of the reigne of King Henry 8th, untill the 32nd yere of our Sovereigne Lady Elizabeth."—(ff. 1-71, and 3 ff. of "Index Nominum.") Inscribed "This book belongs to the Parliament Office.—Henry Elsynge."

A collection of drafts of the Journals of the House of Lords in the seventeenth century, being for the most part much briefer than the

formal Journals which have been printed, but giving in many instances the names of movers of resolutions and other particulars afterwards omitted from the formal Journals :—

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First drafts of the Journals of the House of Lords, by Henry Elsyng, in five folio volumes bound in white. (See a list of somewhat similar works at Crowcombe Court in the 4th *Report of the Historical MSS. Commission*, App. p. 369.)

- (1.) March 12, 1620-[1], to March 27, 1621.
- (2.) April 17, 1621, to May 18, 1621.
- (3.) May 19, 1624, to March 15, 1624[-5].
- (4.) March 17, 1627[-8], to April 30, 1628.
- (5.) May 1, 1628, to June 26, 1628.

First drafts of the Journals of the House of Lords, by John Browne, in ten folio volumes bound in white.

- (A.) April 13, 1640, to May 5, 1640.
- (1.) November 3, 1640, to February 9, 1640[-1].
- (2.) February, 1640[-1], to April 8, 1641. (The contents of this volume have been torn out.)
- (3.) April 9, 1641, to June 14, 1641.
- (4.) June 15, 1641, to June 29, 1641.
- (5.) June 30, 1641, to October 23, 1641.
- (6.) October 25, 1641, to January 14, 1641[-2].
- (7.) January 15, 1641[-2], to March 2, 1641[-2].
- (8.) March 4, 1641[-2], to April 1, 1642.
- (9.) April 2, 1642, to April 28, 1642.

First drafts of the Journals of the House of Lords, by John Browne, in parts, not bound.

- May 8, 1661, to February 20, 1661[-2]. (5 parts.)
- April 3, 1662, to May 19, 1662. (2 parts.)
- February 8, 1662[-3], to May 11, 1663.
- July 8, 1663, to July 27, 1663. (2 parts.)
- March 16, 1663[-4], to May 13, 1664.
- September 18, 1666, to February 8, 1666[-7]. (3 parts.)
- October 19, 1669, to December 11, 1669.
- February 14, 1669[-70], to April 11, 1670. (3 parts.)
- October 24, 1670, to April 7, 1671. (3 parts.)
- March 24, 1672[-3], to April 26, 1675. (2 parts.)
- October 13, 1675, to November 22, 1675.
- January 15, 1677[-8], to March 6, 1677[-8].
- October 21, 1678, to November 16, 1678.
- December 19, 1678, to April 9, 1679. (2 parts.)
- May 12, 1679, to November 20, 1680. (2 parts.)
- June 29, 1685, to November 20, 1685.
- January 22, 1688[-9], to March 4, 1688[-9].
- April 24, 1689, to January 26, 1689[-90]. (5 parts.)

Other parts may perhaps be found hereafter at Stanford, to fill up the lacunæ.

A folio volume, newly bound in red, and lettered "Letters and State Papers, 1572—1636."

May, 1572. Paper containing three distinct parts.—I. Notes of the proceedings of the House of Commons on May 24, 29, 30, 31, mostly agreeing with the entries in the *Journals*, i. 98, 99, under those dates. In some cases, however, the names of the speakers for and against some

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bills, and a summary of their speeches, are given, especially on the motion for the speedy execution of the Duke of Norfolk, the most remarkable of which are as follows:—

On the 29th, Saint Leger said, "Since the Queene's majesties will and pleasure is that we should not proceede nor deale with the firste bill against the monstrous and huge dragon and masse of the earth, the Queene of Scottes, yet my conscience urgeth and pricketh me to speake and move this house to be in hande with her Majestie with the execution of the roaring lion, I meane the Duke of Norfolk. And although her Majestie be loll'd asleepe, and wrapped in the mantle of her owne perill, yet for my part I cannot be silent in uttering of my conscience, and alleaged the text of wicked Hamon, whom he applied to the Duke, and of the goodly Queen Hester to the Queene's Majestie." On the 31st, Sir Francis Knowles said, "I perceave your intent is to make motion for the execution of the Duke, which I perceave proceedeth of verie love and care you have to the Queene's person (which is the marke whereat all good subjectes shoot at). And although I doo know nothing more convenient and needfull then execution, and that with speede, yet I knowe the disposition of princes is rather of themselves to doo such thinges then by way of pressing and urging. It may be, and it is like enough, her Majestie is of herselfe already disposed sooner to doo it then you doo perhaps *think or beleve*. And I would not wishe we should attempt her of his *hastie execution*, for that I knowe alreadye her minde partly therein. The execution will be more honourable to her Majestie, if the doing thereof come of her free minde without our motion. The woordes that I speake, I speake upon good reason, and I would wishe you all to consider *what moveth me thereunto*, and what may cause me to have and use *this speeche*. I pray you all let us stay; I trust we shall not repent it. If you go on with this attempt alreadye in hande, you may perhaps delay the thing you seeke to further."

II. "A briefe note of the Acte concerning Marie, daughter of James the Fifth, late King of Scottes, called the Queen of Scottes." This bill passed both houses but never received the royal assent. The preamble charges her with having claimed the present possession of the crown of England, with withdrawing the Duke of Norfolk from his allegiance by contracting marriage with him, with assisting in the late rebellion in the north and procuring relief for the fugitive rebels from the Duke of Alba, with designing a new rebellion by aid of strangers landing at Harwich, with publishing certain books which asserted that she was entitled to the crown, and that Elizabeth was a usurper, and with intending a disturbance of the last Parliament. The enacting part declares her incapable and unworthy of all such title and interest to the crown as she with her adherents upon a vain and uncertain hope, founded upon uncertain and doubtful causes, should imagine her to have, sentences any person thereafter advancing such claim to death, as in cases of high treason; declares that if she or any of her adherents should by any ways advance the said claim, she and they should abide such trial of the law as the heinousness of such a fact should require, with a proviso that her trial is to be by the peers of the realm; finally that if for her sake and in her name any tumult or insurrection be raised without her knowledge or consent, she is to abide the same trial as if she had been the deviser thereof, and any person should attempt to dispatch and destroy her, he should not be troubled or impeached for the same. A proviso that nothing in the Act should be interpreted to allow or confirm any right touching the succession to the crown of any person whatsoever. Subjoined are summaries of the speeches of Sir F. Alford and Mr. Norton. Th.

former objected to the provisions that she should be triable, if any tumult was raised even without her consent, and that any person might lay hands on her. "I thinke her to be as vile and naughtie a creature as ever the earth bare, and am as strongly persuaded of her lewde demeanour as any man in this companie, yet can I not see howe it can stand with the honour of England for the avoiding of foreine slaunder either to condemne her unheard, or to towche her in life for that she never knewe of." Again he did not wish any man to inure a subject's hands with prince's blood, it being a perilous precedent. He then instanced the case of David's sparing Saul.

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III. The protestation of the Queen of Scots. (The substance is in Kennet ij. 442.)

June 30, 1601. London. Richard, Bishop of London, to ——. You are appointed to preach at Paul's Cross on the 9th of August next, by the discreet performance of which duty you shall do good service to God, her Majesty, and the State, and receive thankful commendation. These are therefore to require you in her Majesty's name to keep the day appointed, all excuses set apart. Whereas the malice of our Romish adversaries doth still increase, I desire that you avoid all domestic controversies, and discover to the auditory the absurdities and falsehood of Popery. Hereof fail not to send your direct answer in writing, and fail not to be ready at the time and place appointed, as you will answer the contrary at your peril. Endorsed:—"The fourth time of my preaching at St. Paul's Cross. 9 August, 1601."

[May 29, 1624.] "My conclusion speech to King James at the first session, when he gave his royall assent." (This is the speech *in extenso* of Sir Thomas Crew, Speaker of the House of Commons, which is reported in a condensed form in Rushworth i. 146, and *Lords' Journals*, iii. 423.)

[April 1625.] "A discourse of passages between the Earls of Essex, Somersett, Northampton, the Countess of Essex, Sir Thomas Overbury and others, with their risings and falls, together with diverse other affayres as they occurred during the late raing of K. James, and alsoe of the Duke of Buckingham his first coming into favour." (A transcript in the handwriting of Mr. Browne from the volume referred to on page 110 as "*Historical Memoirs*." Apparently the only new fact it contains is a statement that the girl said to have been examined by the jury of matrons in the Essex divorce case was one of Sir Thomas Mounson's daughters.)

1626. A number of original petitions of the Earl of Bristol dated respectively (i.) March 22nd, April 19th (including an original letter from Lord Keeper Coventry with the Earl's answer), May 8th (2), June 8th, June 10th, June 14th, (ii.) June 8th, 9th, 12th, (iii.) May 15th. The first are printed verbatim in *Lords' Journals*, iii. 539, 563, 588, 589, 669, 672, 680, except that the last clause of the last petition is omitted (Cf. *Lords' Journals*, iii. 681). It is as follows:—"That forasmuch as the Earle hath great reason to believe the copie of the King's letter read in this House by the Duke of Buckingham is not a true coppie, and the letter itself surruptitiously gotten. That that coppie soe read by the Duke may be brought into the House, and that the Earle having already the Kinge's leave by a letter written by the Lord Conway to speake to that letter may be by your Lordships' favour admitted thereunto." Of the second the effect is given in *Lords' Journals*, iii. 655, 671, 673. The remaining petition is a formal one relating to the appointment of counsel, and praying that Mr. Maxwell may be ordered to transmit any further petitions he may present.

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April 29, 1626. Draft Report of the Committee of Privileges. (Printed in *Lords' Journals* iii. 574.)

May 17, 1626. Draft message from the King. (Printed in *Lords' Journals*, iii. 629.)

June 30, 1627. Whitehall. The Council to the Commissioners for the Loans in the County of Northampton. There has been much slackness in the collection of money during the last term, and his Majesty imputes the fault to you, rather than to those who are to lend, for they have shown good affections in paying and promising. Many of the Commissioners absent themselves from the sittings. You are required to furnish an account of your proceedings before the 15th of July next. All the money collected upon these loans, with much more of the King's own treasure, is employed for the defence of the realm, for the succour of his Majesty's allies, and for the maintenance of the cause of religion.

November 27, 1627. A long list of persons to whom gowns and cloaks were given, on the occasion of a funeral in London. Lord Noel, and Richard Crashaw, the poet, are among them. The deceased seems to have been connected with the Merchant Taylors.

June 4, 1628. "The effect of Mr. Pym's speech at the conference between both Houses" in the case of Doctor Mannering (*sic*). (This is a fuller report of the speech than those printed in *Parliamentary History*, ii. 390, and Rushworth, i, 595.)

June 9, 1628. A paper in Mr. Pym's handwriting with the names of the witnesses he desired to call in support of his case against Dr. Manwaring. (The names of those sworn are given in *Lords' Journals*, ii. 846, 847, except that Sir Francis Annesley is called Sir Francis Onslow. In addition to the persons there mentioned as sworn, three more are included in the list, Sir Thomas Darnell, Mr. Porter, and Mr. Howland.)

June 10, 1628. Original Depositions of Abraham Speckart, Sir Thomas Conye, Matthew Howland, Laurence Whittaker, Sir Francis Annesley, Sir William Lytton, Sir George Hastings, Hamond Claxton, John Shelbery, John Knight, Sir Francis Darcy, and Sir Daniel Norton, in Dr. Manwaring's case.

June 11th, 1628. A paper containing passages from Dr. Manwaring's sermons adduced in support of the charge against him. (Cf. *Lords' Journals*, iii. 848.)

June 14, 1628. Draft of the sentence on Dr. Manwaring. (Printed in *Lords' Journals*, iii. 853.)

June 21, 1628. Original submission of Dr. Manwaring. Signed—Roger Maynwaringe. (Printed in *Lords' Journals*, iii. 870.)

December 30, 1629. Copy of the King's Instructions to the Archbishop of Canterbury. (Printed in Rushworth, ii. 30, except the first two clauses, which are as follows:—

1. "That the Lordes the bishops be commanded to their severall seats to keepe residence exceptinge those which are in necessary attendance at Courte.

2. "That none of them reside upon his lande or lease that he hath purchased nor on his commendam if he hold any but in one of his episcopall houses if he have any and that he wast not the woods where any are left.")

Hilary term, 5 Car. I. (January 1629–30.) Report in Law French of the trial in the Star Chamber of Walter Long, Esq. (Cf. Rushworth, i, 684.)

1632—1636. A number of letters and papers relating to John Durye's mission to the Continent for the purpose of effecting an union between the Lutherans and the Calvinists. (Others of the series are among the MSS. of the House of Lords. See *Report of Commissioners on Historical Manuscripts*, iii. 1, 2.)

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November 1, 1632. Hanau. Latin letter to Laud, then Bishop of London, from some Calvinist ministers there, two each from the churches of France and Germany, one from the Belgian, one from the Flemish, and one, Courad Ammonius, being Court preacher. Expresses their wish for an union. If a complete one be impossible, perhaps a syncretism, such as in Poland, may be attainable. In a hurried P.S. "When we signed this we expected nothing less than the death of the Most Serene King of Sweden, who was the thunderbolt of Anti-Christ, and he has perished, Ah, pro dolor! God thus punishing our sins." Seal of arms. Endorsed in Laud's handwriting. "Rec. Novemb. 11, 1633. Hannoviae Calend. Novemb. 1632. De Conciliatione Evangelicorum."

March 7, 1632[-3]. Hanau. Latin letter to George [Abbot], Archbishop of Canterbury, and William [Laud], Bishop of London, from Paulus Tossanus, D.D., Assessor of the Synod of the Lower Electoral Palatinate. Writes by the command of Louis Philip, Guardian and Administrator of the Palatinate, whose brother, the late King of Bohemia, a few weeks before his death, had desired the writer to write to the chief bishops of England, to express his desire and that of all the ecclesiastics and theologians in the Palatinate for peace between all the Evangelicals in Germany. The Prince wishes to tread in his brother's footsteps. Seal of arms. Endorsed in Laud's hand, "Rece. Novemb. 11, 1633. Paulus Tossanus, nomine Administratoris Palatinatus Electoralis &c. De Concordia Evangelicorum."

October 15, 1633. Zurich. Copy of a Latin letter endorsed in Laud's hand, "Rece. Apr. 26, 1634. The cople of a Latin letter from the churches of Helvetia to Mr. Jo. Durye about the pacification." They not only will not hinder any attempt made by anyone to bring about either union or mutual toleration, but greatly desire it. They are however apprehensive that such an attempt may be made inopportunately, and at the expense of Catholic truth, merely for political reasons. Perhaps there would be more hope of it, if, during the war, each party would refrain from abusing, attacking, and placing false interpretations on the proceedings of the others. They think that the conclusion of peace would be the most favourable moment for effecting a religious reconciliation.

February 7, 1634. Alba Julia (Karlsburg in Transylvania). Latin letter to George [Abbot], Archbishop of Canterbury from Stephen Katona Geleji, bishop of the orthodox Hungarian churches in Transylvania and of Alba Julia, and three professors there. Compares Charles I. to a new Jason, who is leading Kings Princes and Republics, as he led his 54 companions, to win the Golden Fleece of union.

Same date and place. Enclosed is a long paper (15 pages) on an union between the Evangelical churches, the method of effecting it, and the points of controversy. Signed as the last, and also subscribed by fourteen other ministers and pastors of different places in Transylvania, among them Klausenburg, Vasarhely, and Fogaros. They promise that their Prince [Ragotzky] will not fail to do his part. This letter and paper were apparently in reply to a letter of Durye's. Seals of arms. Endorsed:—"Rece. Oct. 21, 1634. Responsa Episcopi Alba-Julienensis necnon trium Professorum aliorumque Ministrorum Transilvah. circa

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negotium de Unione Ecclesiarum Lutheranarum et Calvin. 1, Ad Quæstiones Parascuasticas 4. 2, ad Problemata de Pacis Ecclesiasticæ Consiliis Capessend. 5. 3, De Mediis agendique modo 3. 4, De Controversis Capitibus 3." Shorter endorsement on letter.

February 28, 1634. Copy of a Latin letter to Durye from George Richter in the name of the Free City of Nuremberg. Endorsed in Laud's hand: "Rece. April 13, 1634."

March 7, 1634. Copy of a Latin letter to Durye from the Dean, Seniors, and Professors of the Theological College in the Academia Julia at Helmstadt. Mentions that their Sovereign, the Duke of Brunswick, is wholly in favour of the Union. Endorsed in Laud's hand: "Rece. April. ult. 1634."

March 9, 1634. Westminster. English letter from Durye to Laud. Discusses whether, if he should go again, he should do so as a messenger from England, or as one that is but allowed to negotiate still in private, as he had formerly done. His intentions in going again, if he does so. Thinks it necessary he should be more public than before, and have a warrant to show, if need should require, that he is entrusted by Laud and sent hence to negotiate with them, and to declare to them the pious affection of the Church of England. The two objects he aims at are to bring the different parties first to a ratification of the Conference of Leipsic, and then to a more absolute agreement in some fundamental confession and Common Liturgy to which all sides should give their approbation. Wishes to be supplied with a Latin translation of the Liturgy, Canons, and Articles of the Church of England, to be communicated to such as should be inclinable to use them. The only means of opposing a threatening growth of Socinianism is to be found in a general agreement and uniformity among themselves, of which the only perfect pattern is in the Church of England. Among the collateral advantages of his mission, he might induce them to send their sons to English Universities, he might observe the causes of their evils and confusions, finally, by collecting their different forms of liturgy and Church government and comparing them with those of the English Church, he might show the homebred Puritans their madness in esteeming more of foreign disorder than domestic order. For his mission he will require at least two attendants, one a scholar, knowing German, able to copy writings and to go errands to persons of quality, and the other a servant, and at least three, if not four, horses. The charges at German inns to maintain himself and these will be as follows:—

	<i>s.</i>	<i>d.</i>
For a horse, lodging and diet, day and night, one		
rix dollar, that is - - - - -	4	6
For my own diet, every meal one German guilder,		
that is - - - - -	3	0
For a serving man's, every meal half a German guilder,		
that is - - - - -	1	6

Thus three men's and four horses' meat daily, without any extraordinaries, will come to thirty shillings sterling (marginal note in Laud's hand, "547 *li.* a year"). What the ordinary charges of letters will come to is uncertain; the postage in Germany is full as dear as here. All other things "resent the desolations of the countrie," and in most places are scarce to be had for money. Had he not found extraordinary friends of his own country when he was last in those quarters, it would have been impossible for him to have subsisted. Endorsed in Laud's hand: "Rece. Mar. 10, 1633. Comp[utatione] Ang[lica]."



March 28, 1634. Dresden. Latin opinion of Dr. Hoe. Headed in Laud's handwriting: "Whether it be lawful to unite with Calvinists for the defence of Religion," which he decides in the negative. (See letters of July 24 and Aug. 4, 1634.)

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Endorsed by Laud: "Rece. July 19, 1634. Dr. Hoe's opinion delivered about the Lutherans having peace with the Calvinists. Sent from Frankfort 30 June 1634, by Sir Robt. Anstruther, ambassador in Germany."

A copy of the same.

[March or April 1634.] English letter from Durye to Laud, enclosing the copy of that of February 28, 1634, from Nuremberg. As the Diet has begun at Frankfort, and the deputies are charged to effect an ecclesiastical pacification, he asks for a letter of recommendation from Laud or from the King's Minister at the Diet, and that the latter should encourage the work as he shall think most expedient. Endorsed by Laud: "Rece. April 13, 1634. Mr. John Durye's demand about this pacification."

April 8, 1634. Bulwick. Sir Thomas Rowe to Laud. Thanks him for his kindness to Mr. Durye, and desires that countenance and support may be given him at the approaching Diet. Has received a very kind letter from the Chancellor of Sweden [Oxenstiern] recommending to him his son's employment to his Majesty, "mistaking my condition in Court, but being in a retyred life I have not what to answer, nor will I presume to enquire into the secretts of State; I remember Pentheus' punishment. I will see but one sunne and one Thebes, my master and his service." Hopes the Ambassador [Oxenstiern's son] has opened himself to Laud in this point of pacification. Endorsed by Laud: "Rece. Apr. 13, 1634. Concerninge Mr. Durye and the Diett at Frankford from Sir Thomas Roe."

April 22, 1634. Paper endorsed by Laud "April 22, 1634. The copie of my leters to Sir Rob. Anstruder by Mr. Durye, how to carye himselfe in the reconciliation of the Lutherans and the Calvinists &c." Mr. Durye has endeavoured to get letters from his Majesty to declare himselfe in that business and to make himself a chief mediator in the pacification. Though most English Divines, especially those of note, would be very glad to hear of so happy a peace, his Majesty (though also very well affected to it), does not conceive the business is so ripe as yet, as that it is fit for him to mediate in a public way. As no prince either Lutheran or Calvinist has yet declared himself publicly, it cannot be reasonable for him to come forward publicly, as he believes that were it really intended some of the Princes on the place would have showed themselves before this. As Mr. Durye's intentions are very pious, and would probably produce much good, could they be carried out, Sir Robert is to take knowledge of him and his Christian endeavours privately, but not to engage the King or use his name without his express warrant.

July 24, 1634. Frankfort. Durye to Laud. Gives an account of the proceedings of the Diet at Frankfort, and encloses a copy of his petition to them. Refers to the writing said to be Dr. Hoe's, but thought to be Dr. Wolff's of Darmstadt, given out as an answer to a case of conscience concerning the League of Heilbronn, and showing that it was unlawful for Lutherans to join in such a League with Calvinists. Mentions that Grotius was then at Frankfort, and that Ratishon had been taken on the 15th instant by the King of Hungary. Endorsed, "Recev. August 8, 1634. Mr. Durye's letters from Frankford

**LORD BRAYNE'S MSS.** about the Reconciliation &c. Item, his petition put up to the Princes at Frankford."

August 4, 1634. Bulwick. Sir Thomas Rowe to Laud. Refers to "the libel supposed to be written by Doctor Hoe and directed to the Elector of Saxe," of which a copy is enclosed. "It is the perfect dialect of Rabshekah, without learning, or prooffe, but by bitter invectives, and rayling presumptions of his own authority; the question being always begged and then concluded." Suspicion that he is either corrupted by the Imperial party, or by the Landgrave of Darmstadt and his Chancellor Wolfe, the only two that may lose by unity. His own opinion is that it is made by concert of the Elector [of Saxony] and Hoe, not for care of religion but to cover his false intentions towards an untimely peace under the veil of conscience and religion, as he has ever been wavering. Is thinking of writing an answer to it. Endorsed, "Recep. Aug. 23, 1634. Sir Thomas Roe's letter concerning Dr. Hoe's Invective against the Reconciliation &c."

August 25, 1634. Paper endorsed, "Aug. 25, 1634. The copye of my letter to Sir Thomas Roe about Dr. Hoe's opinion concerning the Reconciliation &c." His letter of the 4th came not to hand till the 23rd, and then was left at an inn. Has had a little (and but little) leisure these three weeks, and now that his Majesty is returning, he must fall to grinding again. Has already received a copy of Dr. Hoe's pamphlet with letters from the Ambassador and Dr. Durye. "I have in my time read much bitterness, but hardly have I seen more gaule drop from any man's penn. If it please God, soe much good may come of it as you mention, that is to make moderate men unite." Does not consider either the man, or the thing, deserves an answer. Thinks it improper for Sir Thomas, who has been publicly employed in those parts, to undertake the quarrel, and finally is uncertain whether any answer at all is wise, as the consequence would be an angry controversy, which would destroy all hope of pacification.

October 14, 1634. Leyden. Durye to Laud. Since the Evangelical confederates at his solicitation made a public Act at the Diet to undertake the business, he resolved to return to England to give Laud a full account personally. Has therefore not written before, but now does so, as he is waiting there in order to give and receive further satisfaction to the chief Divines of these parts. Seal of Arms. Endorsed by Laud, "Rece. Novemb. 9, 1634. Mr. Durye about the success at the last Diett at Frankford."

February 17, 1635 (new style). Durye to Laud. A long narrative of his proceedings since he sailed from Gravesend on the previous 2nd of May to Hamburg, where he negotiated with the divines. They were about to hold a synod with those of Lubeck and Luneburg, to settle a course of uniform proceeding with the Socinians, the Swenckfeldians, and a new sect of ecclesiastical prophets. Thence he travelled with Sir R. Anstruther to Frankfort, arriving on June 19. Refers to Dr. Hoe's reputed pamphlet. The Ambassadors of the Reformed [Calvinist] princes, viz., Palatinate, Brandenburg, Deux-ponts, Anhalt, Mecklenburg, and some Earls of the Wetterau and Westerwald, who were present in person, consequently met at the Landgrave of Hesse's, to consult with him as to mutual assistance and closer alliance between themselves and with neighbouring States, in case the Lutherans should not be faithful to the League of Heilbronn, but betray them to the Papists. Both the meeting and its result were kept very secret. His theological proposition or Petition to the Diet. Much delay in

answering it, as the Chancellor of Sweden, as director of the four Upper Circles, was then negotiating a treaty with the two Saxon Circles. A committee of sixteen however was appointed on August 16. His speech before them, and the result. His dealings with the Saxon Ambassadors, to whom he was introduced by those of Weimar and Onoltzbach (Anspach). Mentions that he had just cause to rely on the King of Sweden during his life by reason of his special promise of assistance, made by his own mouth to him. The Committee in the meantime agreed on a decree (September 1), which he immediately translated from German into Latin, and sent copies by the merchants from Frankfort to all foreign churches that had approved of the work. Left Frankfort the end of September, and having taken leave of Oxenstiern at Mentz came down the Rhine through many dangers at the same time when the Cardinal Infanta (*sic*) was come through the Wetterau to pass the Rhine at Andernach, arriving at Amsterdam about October 17. Having met there M. Maureis, the chief French preacher, he went to Leyden on the 22nd, and stayed there to open the matter to the chief divines of Holland. The state of the Church there. His consequent resolution. He resolves to begin with the professors of Leyden. His speech to them. He is advised to address the ministers at Leyden, and also Mr. Ghysius, the Deputy of the Provincial Synod of South Holland, and Dr. Begermannus. His proceedings with the Consistory of Leyden. At the Hague acquaints Sir Wm. Boswell, the English Ambassador, the Swedish Ambassador, the Queen of Bohemia, and the young Elector Palatine with his business. Meeting of the Deputies of the Synods of North and South Holland on November 15. His speech to them. Their answer and his reply, and their further reply. They decline to give any answer, their powers being limited, though approving of his zeal and good intentions. His second meeting with the Leyden professors. Their delays caused by Dr. Begermannus. Their final meeting on December 26, when they decide they can do nothing till the Synods have met. Intended to embark on January 8 from the Brill, but was frozen in till February 7, when he set sail and reached Gravesend the 11th. Asks leave to go to Holland and Germany again to continue the work, and asks Laud to confer on him the place which Mr. Elborough, the late preacher of the Company at Hamburgh is leaving. (Note by Laud. "He stayed thar, see this could not be granted to Mr. Durye.") Annexed are—

(i.) Copy of the Decree of the Diet dated September 1, 1634.

(ii.) Copy of Durye's letter to the Synods of Holland.

Endorsed by Laud, "Rece. Mart. 12, 1634. Comp. Ang."

May 31, 1635. Draft testimonial in Latin from Laud in favour of Durye. Some corrections in Laud's handwriting.

August 4; Sept. 1-4, 1635. Copy of the respective replies of the Synods of South Holland and Utrecht to Mr. Durye's proposals. They commend his zeal and good intentions, but state that only a National Synod is competent to deal with them.

January 14, 1636. Copy of the Reply of the Leyden Professors. They approve of Durye's intentions, but can do nothing without the consent of the Synods.

January 1<sup>st</sup>, 1635. Amsterdam. Durye to Laud. Had crossed to Holland in July. After giving some information about his plans to the Deputies of the Synod of South Holland, and to the States of the Province, he went into Zealand. In the middle of August, he went to the Synod of North Holland, where he found much prejudice against him and the work. They had predetermined not to disagree from the resolu-

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tion of the Synod of South Holland held while he was in Zealand. Their shift was to declare that the consideration of his proposals belonged to a national Synod of all the provinces. The root of all the opposition is in two or three in the Synod of South Holland. His dealings in September with the Synod of Utrecht, who were rather more favourable. The real aim of some was on this ground to get leave from the States General to convene a National Synod which they desired for other purposes. In Friesland the consideration of his proposal was deferred till the next year's Synod; in Overijssel copies of his letters were given to each church; in Groningen the matter had not yet been laid before the Synod, while that of Gelderland could not meet that year on account of the war. He then applied to the Universities. The plague prevented his going to Leyden at once, so after staying a while at Amsterdam he visited the Queen of Bohemia's Court at Rhenen. About a month ago he went to Leyden, and procured the declaration of the Synod of South Holland and the judgment of the Professors. Endorsed, "Recep. Febr. 13, 1635. Mr. Dury his account concerning the Business of Reconciling the Protestant Churches beyond the Seas &c."

A folio volume, newly bound, and lettered "Letters and State Papers, 1637-1641:"—

July 11, 1637. Oriel College, Oxford. The Provost and Fellows to Sir Thomas Cave, of Stanford. You studied here in your youth, and you are accounted one of our benefactors. We are always glad to receive alms, but we are sorry to have to beg. You formerly gave us a gilded cup. Our walls are now tottering. (Latin.)

August 25, 1637. Edinburgh. "The Scots' Remonstrance, and their Reasons against the Booke of Common Prayers."

July 18-24, 1637. Copy of the proceedings in the High Commission Court against Williams, Bishop of Lincoln, for enforcing the sentence of suspension pronounced against him in the Star Chamber. Annexed is a copy of the judgment in the Star Chamber. (57 pages folio. As the first page is numbered 6 the first five pages are apparently lost.)

1638. Copies of assessments made in 1614 and 1615, and of two letters written in 1616 and 1638, relating to the assessment on the parishes of Twickenham and Whitton of four loads of hay, which according to a composition they had to supply to the King's stables. They include a particular of the parcels of meadow in those parishes, and the names of various residents. Strawberry Hill is called Strawberry Hall.

[1637 or 8.] John Crewe to [John Browne?]. I went yesterday to Preston to meet one who had power from Sir W. Spencer to sell Rads[t]on. As you may perceive by their particular at 19 years purchase with the present value of the wood, it comes to above 10,000*l.*, but then the 25*l.* per annum, which the curate hath, was reckoned, which could not be justified. I stuck hard at 9,000*l.*, or 9,500*l.* if they would make good the particular; but neither of those offers would do. Mr. Prescott swore I should have it for the tenants' sake 200*l.* cheaper than another. That night we could not agree, next morning after we had slept upon it, we agreed, as you may see in the note enclosed. Reckoning in the 50*l.* which Mr. Prescott must have, and 5*l.*, which one Glover another of Sir W. Spencer's servants will expect, it will cost you near upon 9,400*l.*

[1637 or 8.] The particular of the rents for the half year ending Lady Day 1637 or 1638.

1639. Paper containing:—1. A copy of the instrument dated January 24th, 1639, by which Alexander Leslie, minister of St. Maldoes, dimitted quitted claim and overgave his “pretended office of episcopacy as pretended bishopp of Dunkeldon.”

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2. Reports of some of the proceedings of the General Assembly at Edinburgh in August 1639. “In the sixteenth sessions the Moderator regrated that this Nationall Kirk, and many honorabable members thereof, doe suffer under a declaration fathered upon the King's Majestie, but most of all that his Majestie suffereth being made the speaker of the whole stories, which could not come to his Majestie but by a report, and therefore desired they would consider how the King's honor might be repaired, and everything donne in this buisnes as becometh a grave assemblie. The Commissioner desired, since the Declaration caried the title of the King's name, that the assembly would walk so circumspectly as might testifie that they tender his Majesty's honor. The Moderator answered, It shall be our endeavour to tender his Majestie's honor as the apple of our eye. The Commissioner said, Since I understand it concerns my master so near, I desire before you bring it any more in publique that some may speake with me in private. The Earle of Rothes said, It becomes us to speake very tenderly of that which is really done by the King, but for that which hath come by misinformation we must cleare that to the full. The Moderator desired that some might be appoynted to revise the book. Mr. Alex. Henderson said, Truly for the matter itselfe it is very necessary, and I think it will give noe offence to the King's Majestie that the buike be examined; for in truth I thinke it were a dishonor to his Majestie to be King over such subjects as are described in that booke. Again, I herd his Majestie say many things contrary to that booke, and I beleeve it is not written by his particular direction, nor is he acquainted with the particulars of it.” The assembly then referred the book to a Committee.

In the twentieth session, the Moderator showed to the Commissioner that the assembly were longing to have his Grace with them under one covenant and word. The Commissioner acknowledged they had reason to press that matter, but in regard the Covenant is made up of two bodies, to wit, the confession and bond, he behoved to be well advised thereanent; for the confession, he had no scruple at all, neither as it is literally set down, nor as it is explained, and if there be any mistake it was about this bond, yet he thought if in form and matter some things were rightly understood sovereignty would receive satisfaction. The Moderator answered, We have still been, and are ready to give satisfaction in all things that might require the due estimation of good and loyal subjects. As for the bond, we think it so well conceived that if it were to be done again we could not light on so happy expressions; nevertheless we are content that your Grace use all means to receive satisfaction.

In the twenty-first session when the Moderator repeated his speech to the Commissioner, the latter said that he and the council were satisfied, both anent the matter and form, and that for authorising thereof he and the council thought fit that the council should follow a precedent of former times, to wit, that they would give in a supplication to the council, desiring that as the assembly had added their ecclesiastical authority, so they would add their civil sanction, willing all to subscribe the same. He declared he was willing to subscribe the whole covenant, but only desired to prefix a declaration to his subscription, which he hoped would reconcile all. The assembly applauded thereat as a matter of great thankfulness, and more than they had expected. (Then follows

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the supplication, which is printed with some small variations in Rushworth, ii. 961.)

In the twenty-third session, the Committee on the Declaration having presented their report, and the Moderator having asked the opinion of some of the brethren, Mr. Andrew Cant said, "That booke is so full of grosse absurdities that I thinke hanging of the authors should prevent all their censures. The Moderator answered that punishment is not in the hands of kirkmen. The scherif of Tividaill [Sir William Douglas of Cavers] said, Truly I would execute that sentence with all my hart, because I am better acquainted with hanging. My Lord Kirkcudbright said, It is a greate pity many honest men in Christendome for writting little pamphletts should want the eares, and false knaves for writting such volumes should brooke(?) heades." The assembly then drew up the supplication. (Printed in Rushworth, ii. 960.)

August 1639. Report of "The most considerable passages of the late General Assembly at Edinburgh." Imperfect, ending abruptly with page 32, pages 21-28 being missing. (Parts of it are printed in Rushworth, ii. 957, 958.)

[1639.] "To the King his most excellent Majestie. The humble petition of the Bishopes of the Church of Scotland, most humble sheweth. Whairas ane act of oblivion and pacification is socht in this parliament with exception of your Majesteis petitioners furth of the same, your Majestie may be graciouslie pleased to give order that the parliament may tak notice of the petitioner's interest and heir their reasons aganest the said exception. And they sall evir pray, as they are bund, for your Majesties long and prosperous raigne." Endorsed by Charles I.—"C.R. I remitt this to the Parliament."

April 24, 1640. Two propositions voted in the House of Lords, probably in the hand of the Lord Keeper, Sir E. Lyttelton. (Printed in *Lords' Journals*, vol. iv., p. 67.)

April 25, 1640. "The heads of what I was commanded by the Lords to speake to the House of Comons at the Conference," probably in the hand of the Lord Keeper, Sir E. Lyttelton. (An abstract is printed in *Lords' Journals*, vol. iv., p. 68.)

April 28, 1640. Speech of Mr. Pym at the Conference. (An abstract is printed in *Lords' Journals*, vol. iv., p. 72.)

May 1, 1640. Speech of the Lord Keeper to the House of Commons in the Painted Chamber. (Printed in *Lords' Journals*, vol. iv., pp. 75-77.)

July 13, 1640. Whitehall. The Council to Henry Kyme, one of the messengers of his Majesty's Chamber. Warrant for the arrest of —Hamilton,—Kep, and forty-five other inhabitants of Hampton, Teddington, Hanworth, East Bedfont, Feltham and Sunbury. Signed by the Archbishop of Canterbury, the Earl of Strafford, and eight others. Seal affixed.

October [1640. York.] — to —. Yesterday, being Sunday, there came hither from Ripon, from their fellow Commissioners, the Lords Hertford, Holland, Bristol and Mandeville. The third of these, in a full assembly in the afternoon, gave an account of what they had done. They had agreed that 50,000*l.* should be paid to the Scots, as a contribution for two months to begin on the 16th instant, by the towns of Newcastle, the Bishopric [of Durham], Northumberland, Cumberland, and Westmoreland, nothing being now wanting to a cessation of arms.

but security for the payment of this sum. The Scots said that for want of this they would be forced to deal hostilely with the country, which in a time of cessation would make them and their cause odious. They also said that this sum was not sufficient to maintain them, but that they did not wish to appear unreasonable. For security, they demanded that of those great Lords who had lands in those counties. Lord Bristol said that though these terms were not so honourable for his Majesty and this kingdom as he might have wished, the Commissioners had done no disservice to them. The question of security was referred to the Lords. The Lord Lieutenant [Strafford] in reply declared that he could not agree to making provision for the Scottish army for two months, while the King's army had not provision for half that time. The King pressed the Commissioners to take the whole affair on themselves, but they desired to be excused, and all resolutions were deferred until to-day. The King complained that the Londoners had spread a report that he had changed his demeanour as soon as he had obtained a promise of money, which report all present declared to be groundless. He also desired them to press the Londoners with a new letter, inasmuch as they had grown extremely backward even in making good their own undertakings, but the drawing up of the letter was deferred. To-day they met again in the afternoon. Lord Bristol declared that those were most to blame who had led the King to think that he might have three armies in the country of the Scots, who instead had one in ours. The Lord Lieutenant answered that he could not but see that he was pointed at, and that for a long time he had ten thousand men ready in Ireland, who might have been brought over at once if the King had but provided the ships. The Marquess Hamilton said that he was not answerable, inasmuch as he had not had the army which was to have been under his command. The King said that the design was not to be blamed because money had failed, to which Lord Bristol replied that wise men ought not to enter into an undertaking without equal certainty of the means. They then turned to the question of the security for the contribution. Some persons of Newcastle, of the Bishopric, and of Northumberland were admitted, and, being examined as to the ability of those places, they did not make good so much as the Lords had expected of them, viz., the money for the first month. After much dispute, Lord Bristol said that he remembered that the Lord Lieutenant had said that if the Scots marched without a battle (which he then confessed it was inconvenient to venture), he could not keep them out of Yorkshire. He therefore thought that that country ought to join in the contribution. The Lord Lieutenant answered that Lord Bristol had remembered a part only of what he had said. He had spoken of their marching with their whole army, which, by reason of the increase of winter, he was confident they could not do, and with 18,000 foot and 2,400 horse, he could easily make the country too hot for any small parties that might be sent to plunder it. After much discourse, the Lords resolved to take the burden of securing the contribution from their own shoulders and to lay it upon those of their Commissioners, to whom they again gave power to obtain it from as many persons as possible. The Lord Lieutenant seemed displeased with this resolution, saying that when he had proposed that all countries should be asked to contribute to the King's army, he had not been listened to. Much less therefore could he consent to using this course for the maintenance of rebels. The Council however did not heed him, and the resolution was passed. To-morrow the four Lords return to Ripon, where I shall wait upon them, ready, upon the first resolution of the cessation, to take post, and, by the advantage of a shorter cut than

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York, bring the news of it to London before the King's letters. (Of the Lords' letters to London, I do not hear that any draft was made to be perhaps for want of leisure. (Copy in Browne's hand. Cf. Hardwicke's *State Papers*, vol. ii.)

November 5, 1640. Report of the speech of Lord Keeper Finch, approving the choice of Mr. Lenthall as Speaker.

November 14, 1640. "An Order mended with the Lord Keeper's owne hand." (Printed in *Lords' Journals*, vol. iv., p. 91.)

November 27, 1640. Original paper stating the practice of the Court of Star Chamber with regard to (1) Examination of witnesses by commission, (2) Examination of witnesses in court, (3) Examination to shake the credit of witnesses, (4) Publication of the depositions. Signed Henry Jones, Jo. Haker, Robt. Paley, Hen. Hudson, Jo. Arthur, Registrar.

November 30, 1640. Holograph petition of the Earl of Strafford, concerning Mr. Darley. (Printed in *Lords' Journals*, iv. 102.)

December 1640. The particular note under the hand of the Lieutenant of the Tower, (referred to in *Lords' Journals*, iv. 106,) giving the names of the persons who had visited Lord Strafford. On the same paper are the minutes from which the order for the safe keeping of the Earl of Strafford (printed in *Lords' Journals*, iv. 106) was drawn up.

December 9, 1640. The reply of the English Commissioners, on behalf of the King, to the fourth demand of the Scottish Commissioners touching incendiaries. "His Majestic conceaveth he hath no such about him. And as he cannot but in honor give all just protection to his servants, so he holdeth it an act of his royall justice that whosoever shall upon a fayre and equall tryall and examination be found by the estates of either of the two Parliaments (they judging against the persons subject to their own authoritie) to have been in any sort the authors or causes of the late and present troubles and combustion shall be lyable to the censure and sentence of the said Parliaments respectively." (Cf. Rushworth, iii. 1365.)

December 15 and 16, 1640. Three original papers of the Scottish Commissioners, signed by Adam Blair. The first is a demand that money be immediately sent down for the supply of their army according to the armistice of Ripon (Cf. Nalson i. 680), the second and third are the charges against the Archbishop of Canterbury and the Earl of Strafford. (Printed in full, Nalson i. 681, 686. Extracts in Rushworth iii. 1. 1370, and *Trial of Strafford*, 769.)

December 23, 1640. Copy of the reply of the Scottish Commissioners to the answer to their further demand concerning incendiaries. (Cf. Rushworth iii. 1. 365.)

January 8, 1640[-1]. Schedule of records and pleadings in the Star Chamber, delivered by the registrar to Mr. Browne, Clerk of Parliament, pursuant to an order of the House of Lords, concerning Sir Richard Wiseman. (Cf. *Lords' Journals*, iv. 124.)

January 14, 1640[-1]. Report of the conclusion of Lord Falkland's speech on the impeachment of Lord Keeper Finch. (Printed in Nalson i. 726. "I shall not need to say, &c.," where "computation" is misprint for "complication.")

February 3, 1640[-1]. Paper in the handwriting of Williams, Bishop of Lincoln, being a statement on the question whether the bishop



should speak or vote on the impeachment of the Earl of Strafford. (The concluding words are printed in *Lords' Journals*, iv. 150.) LORD BRAYE'S  
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February 16, 1640 [-1]. Draft of instructions to the Lord Keeper for a vote of thanks to the King. (*Lords' Journals* vol. iv. p. 164.)

Copy of the protest of the Lords spiritual and temporal of Ireland touching part of the preamble of the act of four subsidies (15 Car. I. c. 13 Irish Statutes, which is printed in Nalson, i. 280,) read on March 23rd, 1640-1 (Cf. Rushworth, *Trial of Strafford*, 113). After reciting the aforesaid part of the preamble, they state that the act had only been read after the Earl of Strafford had by declaring there was imminent danger of a Scotch invasion procured the grant of four subsidies, and the delay which would have been caused by the transmission of the bill to England under Poynings's Act, while, as they believed, a Scotch invasion was imminent, was the only cause which had prevented exception being taken to the said part of the preamble, which had indeed been purposely inserted by the Earl to anticipate the just and universal complaints of the subjects of that kingdom. They further protest and declare that this kingdom was in a flourishing and happy state when Lord Strafford assumed the government, that since then he and his ministers have changed the face of the government by introducing a new unlawful arbitrary and tyrannical government, by the determination of all or most causes by paper petitions and other unjust and unwarrantable proceedings, to the particular profit of himself and his ministers, tending to the impoverishment and destruction of his Majesty's subjects in their lands, goods, lives and just liberties, and to the subversion of the former laudable, mild, and loyal government for many ages past. They accuse Strafford and his ministers of having advanced and enriched themselves by all sorts of extortion and injustice. They declare their conviction that his Majesty's intention in appointing him was that he should demean himself as an upright and equal governor according to the laws of the kingdom, but that he and his ministers had managed the affairs of the kingdom directly contrary to his Majesty's pious intention. They declare their approval of the rest of the act and the grant of the four subsidies, and pray that an act may be passed for removing from the Records of Parliament the part of the preamble against which they protest, that Strafford and his ministers may henceforth have nothing to do with the government and the affairs of this kingdom, and that the contrivers and advisers of the said part of the preamble may be impeached and punished.

(Copy by Philip Percival, Clerk of the Parliament.)

March 6, 1640[-1]. Message of the House of Commons concerning the Earl of Strafford. (Printed in *Lords' Journals*, iv. 177.)

March 9, 1640[-1]. The Index of the remanent heads contained in the eighth demand of the Scottish Commissioners for establishing of a firm and durable peace. (Cf. *Lords' Journals*, iv. 216.)

March 15, 1640[-1]. Copy of the answer of the English Commissioners to the Scottish Commissioners. (Cf. *Lords' Journals*, iv. 216.) It concludes thus—"His Majestie expects that according to your many professions and of that which is contayned in your owne paper you will not intermeddle with the Reformation in England but leave the care thereof to the King and kingdome. As likewise that you should not publish or divulge any discourses by which the subjects of this kingdome should be stirred up against the established lawes of the kingdome but that you should acquiesse with this answeare."

March 15, 1640[-1]. Answer of the Scottish Commissioners. They acknowledge that no reformation can be expected but from

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the wisdom and authority of the King and the Houses of Parliament. Their motive for giving their reasons for considering that the peace without uniformity of church government will be less durable than they wish. A difference should be made between discourses to stir up the people against the laws of the kingdom and the presenting in a humble and peaceable way to the King and parliament such things as are judged necessary for a permanent peace. As they had exhibited the heads of their 8th demand only by way of Index, they had deemed it incumbent on them to "propone" their meaning in so many of them as concerned both nations. They entreat the English Commissioners, as they have showed their desire concerning this mean of peace to the King, they will also show the same to the Houses of Parliament.

[1640-1]. Paper containing notes of the manner in which the trial of the Earl of Strafford is to be conducted.

— to —. During the assize week the gentry and clergy of Devonshire have taken great pains to frame a petition against the oath in the new canons. Lord Bath first "firmed" it, and then most of the gentry and clergy. It is said that Mr. Wise and Mr. Seymour our Knights in Parliament have undertaken to deliver it. Very few in the country will take the oath. Copy of the seven exceptions to the oath, and of the petition of many gentlemen of the county of Devon, to the Lords of the Privy Council. (Copy by J. Browne.)

April 2, 1641. Original petition of Sir Thomas Aston, Baronet, on behalf of the County Palatine of Chester, against a libel printed as a petition in the name of the said county against bishops, asserting among other things that they are only of ethnical or diabolical institution, read on the above date. (Cf. *Lords' Journals*, iv. 204; Nalson i. 795.)

April 10, 1641. Reasons for the order touching the examination of new witnesses in Lord Strafford's trial. (Printed in *Lords' Journals*, iv. 212.)

[April 12, 1641.] Paper containing apparently notes of what passed at the conference of that date of the Committee of both Houses. (Cf. *Lords' Journals*, iv. 215; Nalson, ii. 103.)

April 12, 1641. Copy of the answer of the English to the Scottish Commissioners touching unity of Church Government. "That his Majestie commandeth us to adhere to his former answere, and conceaveth it most just you should acquiesce therewith."

April 26, 1641. Report of Mr. Hyde's speech against the President and Council of the North. (Printed in Nalson, i. 801; Extracts in Rushworth, ii. 2, 1336.)

May 1, 1641. The Heads of the King's speech concerning Lord Strafford. (Printed in Nalson, ii. 186, and Rushworth, *Trial of Strafford*.) This report agrees substantially with the printed copies which conclude with the word "misdemeanor," but contains in addition, "Now I cannott lett you go without putting you in mynd what I said the last day in the Bancketting House at Whitehall. The summe of it was to show my earnest desire and crave your assistance for disbanding all armyes soe that now not only having my consent but desired (*sic*) your assistance for disbanding the Irish army and all others all the world shall see it is not my fault if this be not speedily done, and I shall not be wanting on my parte for restoring a happy peace and tranquillity.")

1641. Deposition of Eus[eb]y Andrewes. On Monday the 3rd of May [1641] instant he was in discourse with Francis Littleton and John Lyborne. He asked the latter the meaning of the numbers of people

then gathered together. Lylborne answered they came for justice, and were about the number of 6 or 7,000, and that there would be 40 or 50,000 the next day, and that they came then with their cloaks, but that the next day they would come with their swords by their sides and armed. He then asked what would be the end of this business, or what their meaning was in so doing, to which Lylborne answered there was a report or rumour that they will either have the Deputy or the King. "And being by mee procured to be brought into the messenger's custody the said Lylbon recollected the wordes of his own accord and confessed them."

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[May, 1641.] "To the Lords spirituall and temporall in this present Parliament assembled. The humble petition of Thomas Earle of Strafforde. Beseecheth your Lordships that whereas ther was much new matter alledged by the honorable house of Commons in matter of law, as concerning the bill of Attaindure past ther aganist him, to his grate greefe.

That your Lordships would be pleased to admitt him a time to be hearde therin by his Counsell, or otherwise in writing to offer such an humble defence therin, as your humble petitioner conceaves avaylable for him, and that the rather, for that records themselves vewed will be founde (he trusts) to containe matter very necessary by your Lordships to be informed of before itt willbe fully prepared for your judgments therein.

Which as your petitioner conceaves, amongst other, will appeare by the following instances." Examines the cases of Savage, in 5 Hen. IV. c. 6; Gomines and Weston, in 1 Ric. II.; the Ambassador of Genoa; the statute 11 Ric. II. c. 3; Sir John Mortimer, in 2 Hen. VI.; the statute of 22 Hen. VIII. c. 9; Elizabeth Barton, in 25 Hen. VIII. c. 12; Sir Thomas Seymour, in 2 & 3 Edw. VI. c. 18. "Soe that under favoure your Petitioner humbly conceaves, not any president was produced for an offence not capitall by law, made capitall by acttes of Parliament, and the party punished by the same acttes. Humbly beseeching your Lordships to consider the statutes of E[dward] 6 for two witnesses.

And your petitioner shall humbly pray long to continue your Lordships with all increase of honour and happinesse. Strafforde." (Holograph, 4 sides. Probably dictated by a lawyer. Endorsed "Lecta 5<sup>o</sup>. Maij 1641.")

May 5, 6, and 7, 1641. Copy of the Resolutions of the House of Lords upon which the judges gave their opinion about the Earl of Strafford. (Printed in Nalson ii., 192, and *Lords' Journals*, iv. 239.)

1. Resolved upon the question, that going by way of Bill in the discussing of the matter of fact in this whole cause the rule shall be only the persuasion of every man's conscience.
2. That the Earl of Strafford gave warrant for cessing of soldiers upon men's lands in Ireland, and the same was executed accordingly.
3. That the cessing of soldiers was done for the disobeying of the Earl of Strafford's orders made upon paper petitions between party and party against their consents.
4. That the cessing of soldiers was with arms and officers in a war-like manner.
5. The same with a verbal alteration.
6. That the Earl of Strafford did counsel and advise his Majesty that he was absolved from rules of Government.
7. That the Earl of Strafford said unto his Majesty that in cases of necessity and for the defence and safety of the kingdom, if the people did not use to supply the king the king is absolved from rules of government

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and that everything is to be done for the preservation of the king and his people, and that his Majesty was acquitted before God & man.

8. Similar to the last in different words.

9. That the Earl of Strafford said to the King these words: You have an army in Ireland which your Majesty may employ to reduce this kingdom, or words to that effect.

10. That these words (to reduce this kingdom) were spoken of the kingdom of England.

11. That the Earl of Strafford hath by his words counsels and actions endeavoured to subvert the fundamental laws of the kingdoms of England and Ireland, and to introduce an arbitrary power.

12. That the Earl of Strafford hath exercised a tyrannous and exorbitant government above and against the laws over the lives liberties and estates of the subjects.

13. Resolved by vote that this question be put to the judges: That upon all that the Lords have voted to be proved that the Earl of Strafford doth deserve to undergo the pains and penalties of High Treason by law.

May 4, 1641. Original Examination of Elizabeth Nutt, Anne Bardsey, and Anne Vyner. (Printed in *An Exact Account*, King's Pamphlets, British Museum, E. 241, p. 236, being one of the documents annexed to the Remonstrance of the Lords and Commons of May 19, 1642. This will be hereafter referred to simply as *Exact Account*.)

May 11, 1641. Original Examination of John Lanyon. (Printed, *Exact Account*, p. 234.) Subscribed—John Lanyon.

May 11, 1641. Original Examination of Captain James Chudleigh. (Printed, *Exact Account*, p. 220.) Subscribed—James Chudleigh, and attested by the signatures of the Earls of Essex and Warwick, Lord P. Howard, Lord W. Howard.

May 18, 1641. Original second Examination of Captain James Chudleigh. (Printed in *Exact Account*, p. 223.) Subscribed—James Chudleigh, and attested by the signatures of the Earls of Essex and Warwick, Lords Say and Seale, and Howard.

May 18, 1641. Original Examination of Captain William Legge. (Printed, *Exact Account*, p. 224.) Subscribed—Will. Legge.

May 29, 1641. Original Examination of Colonel Vavasour. (Printed, *Exact Account*, p. 227.) Subscribed—Will. Vavasour, and attested by the signatures of Viscount Mandeville, and Lords Wharton and Howard.

June 2, 1641. Original Examination of Sir W. Balfour, Lieutenant of the Tower. (Printed, *Exact Account*, p. 232.) Subscribed—W. Balfour, and attested by the signatures of the Earls of Essex and Warwick, Lord Wharton, Lord Howard and Viscount Mandeville.

June 19, 1641. Original Examination of Colonel Goring. (Printed, *Exact Account*, p. 215.) Subscribed—George Goring.

Copies of a number of orders made by the Lords' Committee for petitions, the first in order being dated June 6th, 1641, but the earliest in date being dated February 4th, and the last August 29th, 1641. The only one containing anything of interest is dated June 9th, on the petition of Dr. Robert Metcalfe, late Professor of Hebrew in the University of Cambridge, stating that on relinquishing his professorship he ought to become Fellow of Trinity College, which though the Masters and Seniors had granted, yet the seniority among the Fellows to which he was entitled by the Statutes was denied him.

May-July 1641. Document endorsed "Instructions for taking the Protestation," but really a draft or copy of the Bill imposing it. (In J. Browne's hand.) LORD BRATTON'S  
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July 19, 1641. Original Report on the quarrel between the Lord Chamberlain (the Earl of Pembroke and Montgomery) and Lord Mowbray and Maltravers. "The committee having mett about the Jurisdiction of the Lords howse in matters of law betweene party and party tryable by a jury, there was a desyre of divers of the Lords to heare the Stat. of 4<sup>th</sup> Hen. IV. read, which was vouched at the Barre by one of the counsel in the case of Sutton Marsh, which was done accordingly. Then my Lord Duke of Lenox beinge newly come in demanded whither the readinge of that statute had relation to Sutton Marsh, to which the Lord Seymour answered, This is read onely as concerning the generall Jurisdiction of the howse. Whereupon there havinge bine some former discourse of Sutton Marsh, my Lord Chamberlayne sayd, lookinge towards my Lord Matravers and pointing with his staffe — No man named Sutton Marsh till you named it, to which my Lord Matravers replied I never named it till you named it first, and I appeale to the Committee. To which my Lord Chamberlayne sayd—But you did. The other answered—I did not; and see twise or thrise to and fro. Then said my Lord Chamberlayne—My Yea is as good as your No, to which my Lord Matravers—And my No as your Yea, and further sayd that he would maintayne that he had named it 20 tymes this day. To which my Lord Chamberlayne sayd that he durst not maintayne it out of that place. Then my Lord Matravers sayd, That he would maintayne it in any place, for it was true; To which my Lord Chamberlayne replied that it was false. My Lord Matravers said You lye. Whereupon my Lord Chamberlayne reached out his white staffe and over the table strok him on the head. Then my Lord Matravers took up the standesh that was on the table before him, and my Lord Chamberlayne goinge farther from him, he threw it after him but misst him. Then my Lord Chamberlayne came towards him agayne and over the table gave him a second blow with his white staffe.

D. of Lennox (sic)	Ld. Mandevill,
E. of Bathe,	Ld. Andevor,
E. of Barkshyre,	Ld. Savill,
Ld. B[ishop] of Lincolne,	Ld. Seymaur,

out of whose relation this was sett downe."

July 21, 1641. Original Petition of the Earl of Pembroke and Montgomery to the House, apologizing "for his miscarriage towards Your Lordships." Subscribed—Pembroke and Montgomery.

July 22, 1641. Original Petition of Lord Mowbray and Maltravers to the House apologising for having been "transported to an excesse which in respect to your Lordships and that place he should have forborne." Subscribed—Mowbray and Matravers.

July 24, 1641. List of the Lords' Committee appointed to draw up the submissions of the Earl of Pembroke and Montgomery and the Lord Mowbray and Maltravers. (Cf. Rushworth, iii. 1. 350.)

August 16, 1641. Original Examination of the Earl of Pembroke and Montgomery before the Committee for taking examinations concerning Incendiaries. (For the circumstances under which the Committee was appointed before whom this and following five depositions of the same date were taken, see *Lords' Journals*, iv. 365, 366; Nalson, ii. 414, 447.) Subscribed—Pembroke and Montgomery, and attested by the signatures of the Earls of Warwick and Dover, and Lord Mandeville.

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Same date. Original Examination of Lord Mandeville before the same Committee. Subscribed—Mandeville, and attested by the signatures of the Earls of Warwick and Dover, the Earl of Loudoun and Lord Howard (of Escrick).

Same date. Original Examination of the Earl of Stirling before the same Committee. Subscribed—Sterling, and attested by the signatures of the Earls of Warwick and Dover, and Lord Howard.

Same date. Original Examination of Robert Young, Printer, before the same Committee. States that he and Richard Badger printed the declaration, and that the original was delivered to them by Mr. Secretary Windebank, who declared it was his Majesty's pleasure that it should be printed. That the prototype or first draught of the said declaration was all in the same hand. That he printed the declaration concerning the proceedings of the subjects of Scotland since the *Pacification* which was published in 1640. Finding some doubtful expressions in the copy he took it to Mr. Robert Reade (in whose handwriting it was) who told the deponent that he could say nothing till he had seen Traquair, whose business it was, for it is he that doth all the work. The proclamation was printed by him by command of Mr. Secretary Windebank and was in the handwriting of Sir John Hayes. Subscribed—Robt. Young, and attested by the signatures of the Earls of Warwick and Dover, the Earl of Loudoun and Lord Howard.

Same date. Original Examination of Robert Chapman, composer (compositor). Subscribed—Robert Chapman, and attested as the last.

Same date. Original Examination of William Warriner. Subscribed—William Warriner, and attested as the last, except that it is also attested by Lord Mandeville.

August 31, 1641. Draft of a letter to the Lords Justices of Ireland, in the handwriting of Williams, Bishop of Lincoln. (Printed in *Lords' Journals*, iv. 387.)

September 3 and 6, 1641. Original Informations of George Carpenter and other servants to the French Ambassador, concerning the riot at his house in Lincoln's Inn Fields. "After the ambassadour hadd dined his porter (as his manner was) went to the doore to distribute the broken meat and such alms as hee was appointed to to the poore that resorted thither, and in that distribution he having more respect to relieve the aged and impotent poore before the younger sort, one Roger Gardner, a disorderly young fellow, contending with the porter about the almes, the porter gave him a blow with a cane, whereupon the said Gardner did throw stones at the ambassador's windows." Subjoined are the names of the accused and their examinations attested by the signatures of George Long, John Hooker, and Thomas Sheppard, the justices before whom they were taken. (Cf. *Lords' Journals*, iv. 382, 389.)

October 29, 1641. Original examination of Sir Jacob Astley before the Committee of the Lords. (This and the following four examinations are printed in *Exact Account*, pp. 232, 232, 230, 231, and 225.) Signed—Jacob Asteley.

Same date. Original examination of Sir Fulke Huncks before the same Committee. Signed—Fulke Hunckes.

Same date. Original examination of Sir John Conyers before the same Committee. Signed—Jo. Conyers.

October 30, 1641. Original second examination of the same.

Same date. Original examination of Captain William Legge before the same Committee. Signed—Will. Legge.

December 20, 1641. A. Fullarton to —. It is now twenty days since we came hither, and a fortnight since we began the treaty. No answer however has been given to any of our propositions. In case of further delay we demand that we may have entertainment for the 2,500 men whom we have kept up for this service. (Copy.) Endorsed, "8th paper of the Commissioners of Scotland."

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A folio volume, newly bound and lettered "Letters and State Papers, 1642-1647."

January 20, 1641[-2.] Middleborough—[Lord Digby] to Sir Lewis Dives, Knt., at the Earl of Bristol's house in Queen Street, London. (Original. Printed in *State Trials*, 1809, vol. iv., p 137.)

March 22, 1641[-2]. Copy of the examination of Hugh Macmahon upon the rack. Sir Phelim O'Neale, Lord Maguire and Philip McHugh O'Reilly were the first complotters and contrivers of the Rebellion in Ireland. They had told him that all parties who were Parliament men at the session of Parliament holden about May last, that were Papists, knew and approved of the said rebellion. O'Reilly further had told him in Dublin about May last that the Committee or Agents who were employed into England by the Parliament would procure an order or commission from the King to authorise the Papists of Ireland to proceed in their rebellious causes, and that the said O'Reilly did also tell him the same again in the county of Monaghan a little before the 23rd of October. Colonel McBryan Macmahon told him on the 20th of October last at his own house that the King had given a commission to the Papists of Ireland to seize upon all the garrisons and strongholds in Ireland, and that he should see the said commission at his coming to Dublin, and that Captain Brian O'Neale, grandchild to Sir Turloe McHenry should bring him to the agent who was one of the committee that did bring the commission out of England, but the agent named, the said Colonel McBryan, did not or could not tell him. That his nephew Philip McHugh O'Neale meeting him at Finglas near Dublin, on the 22nd of October last told him that there would be twenty persons out of every county in the kingdom to assist in the taking of the Castle of Dublin. That Art McHugh Oge Macmahon came in his company to assist in the taking of the Castle of Dublin. That Colonel Mac Brian Macmahon did procure Rory Oge Mac Patrick Macmahon to persuade Patrick McArt Macmahon and Patrick McOwen McMahon McPatrick Macmahon and two other Macmahons whom he knows not, and Donogh O'Finchy to come to Dublin to assist in the taking of the Castle of Dublin, who were all apprehended in the same house in Dublin as himself. (In J. Browne's hand.)

April, [1642], Hull. Sir John Hotham to William Lenthall, Speaker of the House of Commons. (Original. Printed in *Lords' Journals*, vol. v., pp. 28, 29.)

May 16, 1642. Memoranda taken at the conference between the Houses to keep correspondency and to prevent dangers. (Cf. *Lords' Journals*, v. 67), noting what papers were read thereat.

May 19, 1642. List of papers delivered to Joseph Hunscomb and John Wright with their receipt for them and an undertaking to return them in 8 days. (The List is printed in *Commons' Journals*, ii. 573. Most of the original documents are in this collection.)

[May, (?) 1642.] Memorandum "that the substance of his Majesties proposition consisted in these two particulars:—(1.) To know whether we would defend his Majesties royall person from violence, or noe;

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accordinge to our dutie. (2.) To have our advise concerninge his Majesties being not admitted into his Towne of Hull; and how his Majestie may be vindicated in his Honor, for the affront, and how hee may bee putt into the possession of his owne. May it please your sacred Majestie wee shall bee ready to defend your Majesties person from violence by all such wayes as the lawes and our dutie bindeth. And for the meanes to vindicate your Majesties Honour, and to putt you into possession of your owne, wee conceive the best advise that wee can offer to your Majestie is humbly to desire you to hearken to the Councell of the Parliament, who, wee assure ourselves, will bee carefull of your Majesties person and Honor, and to whom your Majestie hath already bene pleased to direct a message." Endorsed, "The King's Propositions to the Gentry at Yorke."

June 10, 1642. Original Deposition of Herbert Finch. Printed in *Lords' Journals*, v. 124.

June 17, 1642. Westminster. James Prymerose, for the Council of Scotland, to the Houses of Lords and Commons. (Printed in *Lords' Journals*, vol. v., p. 146.)

June 20, 1642. Burghley. The Earl of Exeter to Lord Wharton. Inasmuch as some of his Deputy Lieutenants are in London, he desires to be given further time for the execution of his orders. Signed. Heraldic seal affixed. (Cf. *Lords' Journals*, vol. v., p. 141.)

June 28, 1642. The King to the Earl of Warwick. Signed—"Charles R." Seal attached. (Printed in *Lords' Journals*, v. 178.)

July 2, 1642. Resolution of the Commanders of the Fleet. (Printed in *Lords' Journals*, v. 179.) All in apparently the same handwriting except the signatures of Richard and William Swanley.

Same date. Four original letters with seals from Captains Robert Slingsby, Richard Fogg, Baldwin Wake and John Mennes, to the Earl of Warwick. (Printed in *Lords' Journals*, v. 179, 180.)

July 13, 1642. Hull. Sir John Hotham, Peregrine Pelham, and John Alured, to William Lentall, Esq., Speaker of the House of Commons. (Printed in *Lords' Journals*, vol. v., p. 217.) Seal affixed.

July 21, 1642. Draft of the Declaration of both Houses of Parliament to the General Assembly in Scotland. (Printed in *Lords' Journals*, vol. v., p. 229.)

August 5, 1642. Original letter (unsigned), written from Burlington aboard the Unicorn to Sir John Hotham, Governor of Hull. (The substance and in parts the wording is the same as that of the letter dated the previous day from the same place from Thomas Trenchfield to the Speaker of the House of Lords, which is printed in *Lords' Journals*, v. 314.)

August 22, 1642. Colchester. Major Thomas Wade to Harbottle Grimston, Recorder of Colchester, and a Member of Parliament. On Saturday there was a report in our town about a store of arms that were taken from Humerstone, one of our carriers, belonging to Sir John Lucas, which were packed up to be sent to his house in Colchester. This bred in the common people such fears and jealousies that they wanted but an opportunity to search his house. Yesterday at noon Captain Langley came and told me that he was credibly informed that Sir John Lucas intended to send some horses to the King this day, and at night Mr. Cox, the High Constable, came and told me the same. I therefore desired him to set a watch on Sir John Lucas's house, which he did. About twelve o'clock the watch discovered some horses coming out of a



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back gate and stopped them. Presently word was brought into the town that there were a hundred men in arms at Sir John's. The drums thereupon beat up, the town got into an uproar, and the trained band and volunteers presently beset the house. There are gathered together, besides the bands, five thousand men, women, and children, which I feared might do some hurt. I therefore, being accompanied by some other justices and aldermen, made proclamation in several places where the tumults were, at one o'clock in the night and several times since, charging the people to depart. They however regarded us no more than they do a child, and then we charged the bands to keep careful watch about the house. This they did until day light, and then the rude sort of people broke into Sir John's house, and seized upon his horses, some 8 or 9 in number, which I have caused to be kept until I hear from you. They have also found much armour and many new pistols and carbines ready charged, new great saddles and other warlike furniture, part of which they have brought up to the hall. Nothing would satisfy these tumultuous people but that Sir John Lucas, his mother, and his servants should be committed. I therefore desired Sir John to go to my house for safety, and he and his lady mother and his sister went there. When the people knew that they were not committed, they came in great numbers and told me to my face that they would pull down my house upon my head. Sir John, his lady mother and sister then went to the Moot hall, in order to save my house, and they are now in the hall. One of Sir John's men is said to have confessed that twelve horses were to have gone to the King last night, Sir John riding one of them and Mr. Newcomen, clerk, another. The rude people do much abuse themselves and Sir John also in rifling his house, spoiling his goods, and carrying away his plate, money, books, boxes, writings and household stuff. They are come to such a head being a mixed company of town and country, that we know not how to quiet them. Believe we could not repress them if we had five trained bands, unless they were killed. We fear they will not stay here, for they say that they will go to Lady Savage's at St. Osith, and to some other places about the town. I pray you to acquaint the house with those things and to send me directions with all speed.

September 6, 1642. Copy of a letter from Sherborne to the Lord General from the Earl of Bedford, Col. Denzil Hollis, and Col. Essex. We have been three days and three nights in arms before Sherborne and with as much sufferance to ourselves and little hurt unto the enemy as ever any thing that had the name of an army was, our number of men having been rather the show of an army for muster than an army to fight, for there is neither officer or soldier amongst them except it be two or three captains and as many lieutenants and serjeants that will do any duty themselves then much less the soldiers, and for all the rest even through the whole army when any alarum is, as very many we have in the nights, we cannot for our lives draw the companies into battallia. Very few officers are there to be found nor will they go upon any action when they are commanded. If a bullet come over their heads, they fall flat upon their bellies, and some four or five being slain hath made about half of them run away and we are confident half of those that are left will follow; so that of four and twenty hundred that came with us out of Somersetshire and nine hundred that came out of Dorsetshire and Devonshire, we have not twelve hundred left, and God knows how many may slip away this night. The Deputy Lieutenants and Prime Gentlemen of the country which are with us are willing to do anything they can, but your Excellency well knows

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it is not in their way, and they presumed upon the country people who have deceived them. The short of all is we have no army, nor can possibly with these men do this work. We much doubt if we shall be able to make good our quarters, for the cannon out of the castle shooting compass reaches it, hath hurt some men this afternoon, broke the leg of one and arm of another, and they run away upon it, so as some regiments are not so strong as a company, and we cannot make them perfect their entrenchment, which we have been a whole day and a night about, whereas it should have been done in four or five hours upon the first sitting down. The whole business lies upon the hands of two or three who must do the offices of all the particular offices of every regiment down to that of a serjeant. The Castle is strong, that our cannon which is but demiculverin works no effect upon it. What number of men they have in it we cannot certainly learn, but this we are confident that to do good upon it, there must be three several quarters made about it, and we are not able now to make good one, and they in the Castle are at liberty to take in what fresh supplies they will. My Lord, you must send us down more forces, 3 regiments of foot and 3 troops of horse for these horse which are our only safety are clean worn out with being continually in arms and cannot hold out, and should they fail we all were lost. We have no engineer or quartermaster nor workhouse, though we have several times writ for some, and certainly our letters have been intercepted, else your Excellency would not think we had neglected writing. The messenger whom we last sent, who is servant to Mr. Popham, in his return was taken and is yet a prisoner in Sherborne, so we know not what answer was sent us. We only know this, that we have done and will do what lies in us, but our army deserting us, it is not to be done by us alone.

So much of this letter was written yesternight, and this morning we find so many more men gone, that we are necessitated to rise and upon mature deliberation with all the colonels and prime gentlemen we have taken this resolution; to march presently away with the whole body to Dorchester and there stay three or four days to refresh man and horse, then the Somersetshire troops to return into Somersetshire with two troops of our horse to convey them to secure Bridgwater and Taunton, we to stay at Dorchester with our horse and what force that country will afford to secure all those parts and all along the sea coast especially Weymouth, which is a considerable place and a little doubtful, and ready when the supplies shall come from your Excellency to fall upon Sherborne, but we must of necessity have some whole cannon, two at least. We shall humbly beseech you to consider the great consequence of this action that upon the reducing of this castle and the scattering these malignants who are in it, depends the good or evil of the whole business of the kingdom. We for our parts will gladly lay down our lives for the well effecting of it, but truly we would die like men and not with men and not like fools in the company of heartless beasts, with whom we had no more wit than to engage our honours and lives. Your Excellency will pardon this long and displeasing relation and the untoward expression of it for this is the fourth extreme cold night we have been without any sleep that never were men more dazed than your Excellencies most obedient servants.

A postscript recommends the bearer Lieut. Smyth, who is newly come out of Ireland. (Cf. Rushworth, iii. l. 685; *Commons' Journals*, ii. 170; *Lords' Journals*, v. 343.)

September 17, 1642. Copy of a letter to the Lord General John Fielden, Sir William Lewis, and Richard Norton, from Sturminster

ton, giving an account of the surrender of Portsmouth. Some of the forces here being commanded to provide for the surprise of Southsea Castle had so good success on Saturday night last as to take it without any loss of blood on either side or any great difficulty, which became such a disadvantage to Portsmouth in seconding a battery we had at Gosport that our ordinance from both places played so on the town as it occasioned a meeting there and brought Col. Goring on Sunday to write to Sir W. Waller for a parley which was begun on Monday last and ended this day in the articles enclosed for which we have great cause to pray God considering the great terror the designs there menaced not only those parts with, but the rest of the kingdom. The particulars in this action, the bearer having had so great a share in, he is so well able to give your Lordship an account of, that we will not hereby trouble you therewith.

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Same date. Copy of the articles for the surrender of Portsmouth. (Cf. Rushworth, iii. l. 683.)

October 10, 1642. Copy of a letter to Sir John Bankes, Chief Justice of the Common Pleas, from the houses of Parliament, enclosing the treaty agreed between the Commissioners of England and Scotland, to be presented to the King.

November  $\frac{23}{24}$ , 1642. The Hague. — to [Edward Nicholas]. (Printed in *Lords' Journals*, vol. v., p. 461. See also *Commons' Journals*, vol. ii., p. 865.)

December 29, 1642. Selby. Lord Fairfax to —. (Printed in *Lords' Journals*, vol. v., p. 527.)

December 31, 1642. Copy of a commission given at Kilkenny from the Supreme Council of the Confederate Catholics in Ireland, appointing Captain Francis Oliver, a native of Flanders, captain of the ship called *St. Michael the Archangel*. (Cf. *Commons' Journals*, iii. 99.)

March 15, 1643. Oxford. Charles I. to the Marquess of Newcastle. (Holograph from the Peck Collection. Printed in Peck's *Desiderata Curiosa*, p. 343.)

March 17, 1642[-3.] Draft in John Pym's handwriting of the preamble and conclusion of the articles of Cessation. (Printed in Rushworth, iii. 2. 173; *Lords' Journals*, v. 653; *Commons' Journals*, iii. 75.)

[March, 1643. Oxford.] Copy of a letter to the Speaker (?) Omits circumstances relating to the Commissioners' arrival and entertainment as having been presented to the House on Saturday last. On Monday morning according to the King's appointment the Commissioners met at the Schoolhouse appointed for the treaty. When their commission was read expressing their power to treat, the King said, "The word 'Treatie' was a good word." Then the Earl of Northumberland delivered the King a paper expressing the method they were to observe in treating upon the propositions in order and after another and not all together, and how they were enjoined to deliver all their demands and to preserve his Majesty's answers in writing, which latter clause with which he was well pleased and said they had prevented him, for it was in his thought to have desired it of them. Upon this the King and his counsel withdrew, and within half an hour brought in 3 papers, the first desiring copies of the Commissioners' instructions and of the propositions, the second declaring that no agreement put in writing should be binding on either side till the conclusion of the whole treaty and the third desiring that the Scots might be called to procure their own, and to settle our peace, and not (by any omission) be left

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to sow seed of future trouble. To the first the Commissioners answered they had no warrant to show their instructions nor to deliver any copy of propositions as the subject matter of the Treaty, yet notwithstanding upon the King's importunity they caused a copy of them which they had prepared for their own use wherein the Scots' interest was left out to be delivered to the King with this salvo that it was not that they were to treat on but to give his Majesty satisfaction. This the King gave them thanks for. The second needed no answer, and the third upon four hours' debate was recalled. After this a second paper was delivered by our Commissioners containing the proposition for recalling of oaths and declarations &c. which the King will consent unto, but not as to the preamble, which was all yesterday in debate, and it's to be the subject of this day's meeting. This the King at present will not agree unto, and used those arguments. That first it will be binding *ad semper*. Second he shall therein condemn himself, which he will not do, though he be very desirous to justify them, and to give them all the security that possibly can be imagined. This great debate was chiefly managed by Sir Henry Vane, and Mr. Pierpoint and Mr. Browne, who did it with much clearness and ingenuity, as the King himself was pleased to confess. This morning I had carried another paper to Sir Edward Walker from the Commissioners, insisting upon the preamble, which is all the account I shall trouble you with at present. (Cf. *Lords' Journals*, v. 654; Rushworth, iii. 2. 195.)

May 6, 1643. Letter from the Scotch Commissioners at Westminster, (Printed *Lords' Journals*, vi. 45.) Subscribed—Ja. Prymerose.

May 16, 1643. Letter from the Houses of Parliament to the Secret Council of Scotland and the Commissioners for Peace. (Printed in *Lords' Journals*, vi. 45.) Signed—Manchester, W<sup>m</sup>. Lenthall.

[Close of 1643?] "A callender of the severall impeachments and charges against severall persons brought up from the House of Commons and how far they have bin proceeded upon." The latest date mentioned in it is November 13, 1643, the date of the Archbishop of Canterbury's answer.

December 21, 1643. Arundel. Copy of a letter from Sir William Waller to the House of Lords. (Part printed in *Lords' Journals*, vi. 350.) It continues thus: "Likewise the Kentish foote are not come upp. and I expect them not these two dayes. The last night I receav'd an advertisement from Winchester that Prince Rupert was expected that night theare, and there were 120 cartes sent out for his trayne and baggage. All the country there is summoned to come in with their armes. My neighboures of Pettersfeild, when they quitted that quarter, uppon the allarum at Alton, left many of their armes behind them, which on Tuesday were fetched to Portsmouth. If I had had some fresh horse, I might easily have cutt off ten or twelve troopes of the enemy's horse that are quartered betwixt this and Braintree, but being soe weary and in see weake a condition I am forced to keepe home for a while, and to watch the nine that are in the Castle. I summoned them, but they refused either to give or take quarter, soe confident they are of succors; my trust is in God.

P.S.—I humbly desire my commission may bee forthwith sent downe, for without it I shall not bee able to settle theis countyes."

December 29, 1643. St. Albans. The Earl of Bedford to [the Speaker of the House of Peers]. (Printed in *Lords' Journals*, vol. vi, p. 356.)

February 17, 1643-4. John Cheislie, for the Scottish Commissioners, to the Houses of Parliament. (Printed in *Lords' Journals*, vi. 460.) LORD BRAYE'S  
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February-May, 1644. Copy of Col. Were's journal of the siege of Lyme Regis. (Most of it after April 20th is printed in Rushworth, iii. 2. 677-680, but the MS. is fuller and differs in parts from the printed copy. The beginning, which is not printed, is as follows:—) Feb. 21. Col. Were landed at Lyme Regis. 22. All his forces with the garrison of the town were drawn forth upon Lyme Hill, from whence a party was sent to Studcombe House, and Axmouth, under the command of C. Pey to secure those places. 23. Col. Were with his officers and 300 foot advanced to Studcombe house with a resolution to have fallen upon Colyton, but was commanded back by the Governor of Lyme, as by his letter will appear. March 3. Capt. Townesend drew out by command of the Council of War 100 firelocks and fell upon Bridport where he surprised 130 horse and met with his Colonel and C. Pyne at Chidiocke hill, where they were with horse and foot to secure his retreat. 4. Several messengers came out of Devonshire to inform us that the country was in arms, and desired assistance from the Council of War at Lyme of horse and ammunition which by a general consent was granted unto them, Major Butler being Commander-in-Chief and some other Captains sent with him. They advanced to Hemiocke, where they were set upon by Major Carre, who lost his life and divers of his soldiers. 5-6. The enemy drew out of their garrisons of Axminster and Colyton, Chard, Exon, Taunton and Bridgewater what forces they could to fall on Hemiocke. 9. Col. Were, to divert their besieging of Hemiocke, fell upon Collington with 300 men and took that town, 300 arms, 250 prisoners, all their magazine, their colours, 12 drums, besides divers persons of note, and was advancing to the relief of Hemiocke, but met with the ill news of his officer being surprised before, which hindered his resolution, and caused him to retreat to Studcombe House again where he continued till April 20, every day or night having an alarm or fight with the enemy and was called three times to give assistance to the town of Lyme Regis, and to have fallen upon a quarter of the enemies, which was accordingly performed through tedious marches by him and his soldiers, though little use made of them when they came there, which was no small discouragement to the soldiers.

[1644?] Declaration by the Marquis of Montrose, his Majesty's Lieutenant General of the Kingdom of Scotland.—Whereas this traitorous faction of hollow-hearted rebels, who have been a raging within this kingdom these many years bygone, contrary to all laws divine and human but what they themselves have framed for the accomplishment of their desperate and unheard of treasons and cruelties, have put out sundry scandalous pasquils contrary to the conscience and justice of his Majesty's service to deceive the weak and ignorant multitude, whom they have hitherto so pestered and enslaved to the ruin of this whole kingdom and the utter destruction of those poor souls whom they have so invincibly blinded, as I could not, though I had much patience, enduring their abominable lies and calumnies from my duty to his sacred Majesty, the world, and mine own honour, but declare the raging fury of those desperate rebels contrary to the religion and equity of his Majesty's commands, for withal thay had granted to them even all their vast and endless desires, have been so far from being thankful to the goodness of God and justice of their native king, and enjoying of those happy blessings while none was stirring their peace, as most contrary to all, have out of wantonness, wicked ends, and base ingratitude waged a war by assisting a faction of foreign rebels and most bloodily pursued the

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Prince's ruin in a strange nation. And now that his Majesty has been by all reason and necessity at last constrained to set his seat on foot in this kingdom to disappoint or oppose the extreme evils of his own imminent ruin, this they term Rebellion, and those whom his sacred Majesty honours with commission in it traitors to the estate, and though all the world may see the brazen face of those impudent rebels now so clearly unmasked as they are without all excuse, yet there being perhaps many innocent and well meaning people have been involved in the intricate courses, who his Majesty from his wonted goodness and grace is rather willing to reclaim than punish, I do by these in his Majesty's name offer a free pardon to all and everyone so engaged, who upon the present publishing hereof shall repair to us and join with his Majesty's force. Notwithstanding their masters and superiors may be perhaps engaged in this present rebellion, I do likewise in his Majesty's name give them all certainty and assurance to be well and safely protected as good countrymen and faithful subjects.

May 22 [1644]. Lincoln. The Earl of Manchester to [the Speaker of the House of Peers?] I have four regiments of foot with me, and four more at Gainsborough, Torksey Bridge, and Saxeby, in readiness to march towards the Scottish army, upon certain notice of Prince Rupert marching that way. Most of my horse are already joined with the Scottish horse, and lie quartered on the other side of the Trent. The Derby and Nottingham horse intend to join them. Those on the other side of the Trent will make nearly 6,000 horse and dragoons. On this side I keep 1,200 horse with my foot. The Scottish army between York and mine will not draw near each other unless Prince Rupert appears. Col. Whyte will give a full account of the Scottish army. The great rains have so raised the Trent, as to hinder my marching.

June 5, 1644. Original examination of Lord Conway. (Printed in *Lords' Journals*, vi. 578.) Subscribed—Conway, and attested by the signatures of the Earls of Northumberland, Stamford and Salisbury, Viscount Say and Sele, and Lord Grey of Wark.

June 15, 1644. Copy of a letter from the Earl of Warwick to the Parliament about the raising of the siege of Lyme. Has renewed there since his last letter. The enemy have in the five days last past shot many vollies of great and small shot into the town which the besieged have received and answered with equal courage as before. On the 12th instant I furnished the town with ten barrels of powder, the store being near exhausted. On the 13th they took a prisoner who gave the information that the Lord Hopton had been in the league last Sabbath day and demanded five men out of every company who he promised to make good by an equal number of pressed men, but they were denied him. From thence (as I heard by one of the Frigates that came from the West on Wednesday last) he went to Dartmouth where he came in on Tuesday night with seven horse giving out that he was to raise an army of 15,000 men. The said 13th instant upon direction from the Council of War in Lyme I resolved to send the boats and small vessels here to give an alarm on the East part of Lyme for distracting of the enemy and drawing him off from the town (notice being given of the soldiers' affreightment with what was formerly done of the like kind) which was yesterday put in execution accordingly. The seamen landing and marching up into the country, which caused the horse and foot that came down to attend them to fly to the hills and gave the seamen opportunity to converse with many of the country people; who appeared generally well affected to the parliament in

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pect of the great pressures laid upon them by a beggarly and cruel enemy. By some of them I received notice that the Lord Hopton had two days before commanded all thereabouts from 16 to 60 to repair forthwith to Dorchester with such arms as they could provide, as also with victuals and money, to withstand some forces expected there suddenly under command of his Excellency or Sir William Waller, and that some hundreds of men had been pressed for his service, who had near all of them made an escape. Yesterday there came aboard me one Lieut. Parre of the Lord Broghill's regiment, and his ensign, who had the night before come into Lyme with 22 of the soldiers under his care. By him I received intelligence that Priace Maurice had notice of some forces coming to Dorchester, that the Queen was about 10 days ago brought to bed at Exeter of a boy, that many of the Prince's army were ready to come into Lyme as soon as they could gain a convenience. This morning about 2 of the clock our boat came from the town with advice that the enemy was drawing off his great guns and raising his siege which by letter received this day from the Governor was confirmed, the Prince withdrawing himself last night about 5 of the clock and his army starting away about 2 of the clock this morning. Mentions that he landed and viewed the works, those of the enemy being of great strength, but those of the townsmen so slight that it was near a miracle they should hold out so long against so violent and resolved an enemy. Commends the officers and soldiers and backs their request for a supply of money, and forwards the request of the garrison of Plymouth for some money and a governor. Mentions a report that Weymouth has been surrendered to the Parliament and another that Prince Charles was lately there. (Cf. *Lords' Journals*, vi. 595.)

August 6, 1644. Paper purporting to be a copy of instructions from the King to Richard Harding, Esq. He is to accompany Lord Beauchamp to the Earl of Essex as secretly as possible and deliver to him the King's letter informing him that the credence therein relates to himself, and if possible induce the Earl to join the King with his forces in order to effect a general pacification. (Cf. Rushworth, iii. 2. 710.)

August 15, 1644. Original paper from the Commissioners of the Church of Scotland. (Printed in *Lords' Journals*, vi. 674.)

September 1644 (?). Copy of the examination of Anthony Nicoll, deposing to conversations with Major-General Skippon, Col. Tyrill, Sir Philip Stapleton, and the Lord General concerning the alleged instructions from the king and the conduct of Col. Butler.

September 23, 1644. Copy of the examination of Col. Tyrill.

September 24, 1644. Copy of the examination of Col. Barclay.

September 26, 1644. Copy of the examination of Richard Deane, controller of the ordinance. (The last three all relate to the same subject as the examination of Anthony Nicoll. Much of the matter is given in Skippon's Examination, printed in Rushworth, iii. 2. 710. Cf. also the rest of pages 710, 711.)

October 14, 1644. (N.B. The month is apparently October, but in the letter of the 8th April following the date of this letter is given as *September* 14th.) Original paper from the Scotch Commissioners to the English Commissioners concerning the Army. Subscribed—Jo. Cheislie. They complain that divers letters and papers have been presented to the Houses of Parliament by their Commissioners with the Scotch army without the answers of the Committee of the Scotch estates, and also that directions received from the Committee of the Scotch Estates with the

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army had been directly referred to a Committee of the House of Commons, at which the Scotch Commissioners could not be present. The English Commissioners had been appointed as the authorised organ of communication with the Scotch Commissioners, who now represent that mistakes and differences will arise if this arrangement is abandoned and they therefore urge the English Commissioners to press upon the Houses that all doubts and objections which may arise about the Scotch armies should be referred to them to discuss with the Scotch Commissioners and then report to the Houses. They further complain of the granting of commissions for levying Regiments in the County of Northumberland and the Bishopric of Durham to persons who live on free quarter, without doing any service, which is a great burden to the country, and a prejudice to the Scotch armies by lessening the assessments. They therefore request that these Colonels be called into Yorkshire for the defence of that county.

Referring to their paper of the 9th of September concerning the assessments of the County of York and Northumberland, and the Bishopric of Durham, they request that the Houses of Parliament will take into their serious consideration the entertaining the entertainers of the Scotch armies out of such ways and means as they shall think fit and those armies may depend upon. With regard to complaints to the Houses by those counties charging several disorders upon the Scotch armies, they answer that general complaints can have no answers but of the same kind, and, admitting that some of the inhabitants may have had just reason to complain, they assert that no complaints in particular have been made known to the Committee of Estates on the Lord General without redress and punishment of the offenders.

With regard to the paper of August 16th desiring that all the officers and soldiers of the Scotch army should be informed of the articles of the Treaty between the kingdoms, the Committee of the Estates had unanimously decided that these articles were already known to most of the officers, and that it was neither necessary or fitting they should be divulged to our common soldiers, or published to the world.

With regard to the other paper of the same date desiring that tickets should be given to all inhabitants of all such officers and soldiers as take up billet upon free quarters, and that no officer should assume to impose any taxes or assessments upon the people without the consent of the Committee of both kingdoms, they answer that the Lord General immediately renewed his former command to the officers and soldiers to observe the several orders of the Committee of both kingdoms, and of the Committee of Estates which had been intimated upon the head of every regiment against taking anything in the country without ticket or imposing taxes at their own hands.

With regard to the other part of the last paper desiring the concurrence of the Committee of Estates in the operation of the ordinances of excise and sequestration, they declare that they always been ready and willing to do so, but with regard to Stockton and Hartlepool the Committee of Parliament having caused a ship to be seized and sent to London contrary to the capitulation of Hartlepool, the Earl of Callendar, until the pleasure of the houses of Parliament concerning the same should be known, thought it necessary for the vindication of the honour of the Scotch army and nation by some act to manifest their resolution to perform the said capitulation, for which it was desired that the up-lifting of excise and sequestrations in Hartlepool and Stockton might for some short time respite.

(The order of the House of Commons made upon this paper on October 17th is printed in *Commons' Journals*, ii. 688.)



October 25, 1644. Letter from A. Johnston and J. Crewe, the Commissioners with the army, to the Houses of Parliament from Buckleberry Heath. "My Lord General quartered last night at Bradfield six miles from Reading. My Lord of Manchester's forces, which had the van, quartered at Buckleberry upon intelligence if the King's army continued at Newberry. This morning, about ten of the clock, the horse and foote are all drawne out upon Buckleberry Heath, 4 miles from Newberry, great bodies of the enemyes' horse are in viewe, but whether to fall on engage we know not; ours resolve if they will not stand their charge to pursue them.

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My Lord General hath had upon him some indisposition for divers dayes which hath ben much increased by his striving with it. He would not be perswaded from marching yesterday, and was resolved to have marched to-day, but not taking his rest last night he is growne feverish, and was forced to goe back to Reading on a feather bed layd in his coach; here will be much want of his presence. We shall conceale his absence as much as we can, and hope that those which are here will make all the supply that they can by extraordinary dilligence.

Postscript. Since the writing this letter, it was thought fitt at a councel of warr held upon the Heath that we should march to Thatcham, 2 miles from Newberry. We now have intelligence that the enemyes' horse and foote are drawn up between Newberry and Donnington Castle. This night we are to march beyond Thatcham either to the right hand or left, as the field shall be most advantageous; our officers continue very unanimous, and our souldiers are very cheereful upon their going on towards the enemy."

January 24, 1644[-5.] Letter from the Houses of Parliament to the States of Holland. Subscribed: Grey of Wark, Speaker of the House of Peers pro tem., and Wm. Lenthall, Speaker of the Commons' House in the Parliament of England assembled. (Printed in *Lords' Journals*, vii. 155.)

February 3, 1644[-5]. "Instructions for the Committees of both Houses." (Printed in *Lords' Journals*, vol. vii., p. 261.)

February 26, 1644-5. Sir H. Cholmeley [governor of Scarborough Castle] to Sir John Meldrum. "I confesse noe man hath more reason to upbraid mee with my incapacity than you, for though I have taken tyme enough to consider your letter, I cannott find that it affords more than these two parts, one that I understand nott att all, another that I doe (though with difficulty), it beinge the stile of conquerors alone. To that I understand nott you will nott expect much answer, only I shall say that before there can beea good and a true understanding betweene us (a tearme soe much spoken of, and desyred by those that seeme more moderate of both parties) there ought to be an understanding simply, which I conceive your phrase endeavours nott. To the rest I had returned answers before this time, but that I do not please myself in raylings and personall recriminations, nothinge else beinge suteable to those I receive from you, though you seeme to sett me out bounds and limits to govern my language as a man in affliction by tellinge me that one of common sense would nott irritate you, noe more perhaps would one of common spirit. But for my part I cannott imagine a condition soo lowe shall force a newe dialect upon me or anythinge incompatible with the resolution of a gentleman, and the office I bear. Admitt my case weare miserable as you call it, yet I should presume a fair confidence were more noble in my condition than insolence in yours. 'Tis well known I always abhorred whatsoever tended toward tyrannie. And though I daily heare of impositions upon men's consciences and personall liberties by your party, yett

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certainly itt's a point unpractised untill your tyme to prohibite a generall mynd from a due resentment of injuries and from seekinge defence from the same sort of weapon, with which it is assaulted. And that I may performe this duty to my selfe I must call to your memorye a clause where you attribute much to the Grace of the kingdome, a forme of speech never before heard of in England nor any monarchye, all acts of Grace being inseparable from the soveraigne power, of which you cannot be ignorant, though perhaps unwilling to name the kinge, lest men should make observations upon your ingratitude, as alsoe upon the dazeling light of Reformation you boast of, all men knowinge what lights you should preserve, which not like seamarks have directed but like ignis fatuus have misled you out of the way of obedience. For the churchward to bragge of make your boast of it, which I doubt nott will prove only neede to you to bury your dead in, though I finde you make no more scruple of that decency than other things befittinge the consideration of Christians. To the violation of faith and articles which you apply to your selfe I confesse ingeniously I charged you nott, neither doeth my letter pointe more particularly than that conditions have been frequently broken, and this I thinke a truth you will neither deny nor excuse. By this tyme Sir, I shall hope you will bee as far from expectinge to fright me to any end you have upon me as I am from courtinge you to any other waies of correspondence. I shall therefore desire you to leave this manner of style, crosse to my nature, as not agreeable with gentlemen or men. And when you have busines to which you intend to have answers from me, lett it be so qualified as may become you to write and me to receive, wherby you may assure your selfe of a return of all civillities from Hugh Cholmeley."

February 27, 1644-5. Answer of Sir J. Meldrum to the last. This draught of a letter, I had resolved to have sent to you, will free me from the guilt of aiming at your blood (intimated by your last note) unless your lofty and impertinent answer to my summons had altered my resolution. If you have not a better reply to that part of my letter pressing that a reformation doth dazzle your eyesight than to fall so impertinently upon my lights, I must answer you that such a poor and weak repartee doth argue some defect which I shall forbear to expound, it being very well known that those lights have done more service to the kingdomes and to all the navigation in Europe where use was to be made of them, than the breaking down of many fair bridges which you had continued constant to your party) might have been repaired good services: If you had not begun in that railing way (as you are pleased to call it) you should never have heard more of me, but in following of my point which was and is (by God's assistance) to bring you out of that hold you seek to enthrall the kingdom by: The maintenance whereof will require better forces than you can expect from the Queen, out of France, from Oxford, or from Newark, or from the issue of the treaty, which (at the best) hath as yet produced no other effect but the surprisal of Shrewsbury by that worthy and valiant gentleman Colonel Mitton, with whom if you had kept a better correspondence than with Sir Marmaduke Langdale you had not been in so sad a condition as you are in; you can lose nothing by any act of courtesy (thereby your own expression it was done for Colonel Bethel and not for me) in sparing of the trumpet. Your Newark messenger, as a spy sent to Sir Marmaduke Langdale and the governor of Newark might have more justly suffered than the trumpeter: I look for no grace from the king but from the kingdom, so long as the beams of his sun doth shine upon a viperous brood that have sought to destroy their own mother

bred them: and that he is misled by such pernicious counsellors, who have brought him and his posterity to so low an ebb: nor can I find a more proper means to supply the defects of nature than by grace which you very wittily would make inseparable from monarchy: If you mean a moderate and well tempered monarchy I shall not much dissent from you, but of a Straffordian I have ever and ever will be of opinion that it is at least cousin german if not worse than anarchy itself. Those old rotten tenets are out of date where the power of monarchy hath been so irregular that you and such others of your tempers have been rather led on by the Ignis fatui of the time to the destruction of the kingdom, than my lights have led me out of the way of my obedience to the king. I have no other end upon you than by fair means to persuade you to render up the Castle of Scarborough with all kind of ordnance, ammunition, and other provision for the king and parliament whereunto if I find you inclinable you may look for the real accomplishment of the conditions offered in the summons to you and your associates, which you may expect in vain, if the kingdom be put to the trouble of bringing great ordnance whereby I will endeavour to make your strong walls spue you out at the broad side, and as you did first begin this kind of stile I would not have you think but that you must be the first that shall forbear it: none shall go beyond me in point of civility, so long as your epithets of conqueror, commander of the world, violator of articles and conditions, railer, ingrate, insolent, and the ignis fatui wherewith you brand me shall not enforce me to pay you in your own coin though in a different manner, the one being grounded upon manifest truths the other upon chimeras; but if you think yourself to be in a condition rather to give the law than to take it the issue will bear witness which of us have been most out of square, which is all and the last time I intend to trouble you with my pen.

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January 2, 1644-5. Oxford. Charles I. to Henrietta Maria. Copy by J. Browne, endorsed, "Copie to my wyfe . . . by P. A." (Printed in Halliwell's "*Letters of the Kings of England*," vol. ii., p. 358.)

February  $\frac{3}{16}$ , 1644-5. Oxford. The same to the same. Copy by J. Browne, endorsed, "Copie to my wife . . . by P. A." (Printed in Halliwell, p. 365.)

March 3, 1644[-5]. John Cheislie, for the Commissioners of Scotland, to the House of Lords. . (Printed in *Lords' Journals*, vol. vii., p. 261.)

March 13, 1644-5. Oxford. Charles I. to Henrietta Maria. Copy by J. Browne, endorsed, "To my wife . . . by P. A." (Printed in Halliwell, p. 368.)

March 30, 1645. Oxford. The same to the same. Copy by J. Browne, endorsed, "To my wife . . . by Petit." (Printed in Halliwell, p. 347.)

April 8, 1645. Two original letters from the Scotch Commissioners. Subscribed—Jo. Cheislie. (Printed in *Lords' Journals*, vii. 311, 312.)

April 11, 1645. Original letter from the Commissioners of the General Assembly of the kirk of Scotland. Subscribed—John Donn. (Printed in *Lords' Journals*, vii. 317.)

Thursday, April 17, 1645. Oxford. Charles I. to Henrietta Maria. "Deare Hart. The last weeke I wrott thrice to thee, by two severall messengers, besides this usuall way, since when no action of

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moment hath hapned. Preparations on both sides hath been slow: then was expected, but now I being certaine to have all those things before Sunday next which was my only stay, I am confedent to be in the field much sooner then the Rebells (there distractions rather yet encreasing then deminishing) and by my next I dare promise thee to name the day of my setting forth, albeit I was somewhat mistaken in this particular when I last mentioned it to thee. Warwicke hath fulfilled my promise of him, but he could not doe otherwise, not having command of the Sea Captains. Since mine by Petit I have not hard any more of the Proposition I then advertised thee of, concerning the renewing of the Treaty for Peace, and I can now only tell thee, that it came from the Secretary Nicholas (who was the honestest servant I then mentioned from the Duke of Richmond's Webb, whom I esteem to be such an apochriphall author, that it much confirmes me in my opinion that it will come to nothing. For Scottis newes, I was in good hope to have given thee a perfect account by this, one of my expreses being returned from thence, but he being unluckely taken, so farr from hence, I can only say that those who spake with him assure me from his relations, that Muntrosse is about St. Johnstowne, very strong, and maister of the field (I doubt they overnumber his army, for they call it 10,000 foote and 1,500 horse) and that if he had some ammunition, he would reduce all Scotland to my obedience, to supply which I finde by the Lord Jermin's last dispatch thou hast taken some care, for which I much commend thy judgment, which indeed is answerable to the rest of thy proceedings in order to my assistance, and likewise to every circumstance of expressing thy kindnesse to me, wherein thou hast rather exceeded then falen short of my expectation. Only I thought to have ben encouraged in my proceedings by thy approbation, more then yet thou hast done, for if you knew the difficulties I have wrestled with (which now, I thanke God, is prettily over) by the folles of my owen party, thou would have thought it just and fitting to have hartened me by comending at least my patience and constancy, but I confesse when I remember what company I have (in a manner) been forced to waite upon thee, I then pittie thee for the trouble those people bring upon thee, and no more wonder that those sometimes mistakes thy proceedings, but rather it joyes me that thy affection (even through those mistakings) is most visible to him who is eternally thyne. I. I. expresse is newly escaped who confirmes what I have said concerning Muntrosse, only he left him Murray land insteade of St. Johnstowne. Endorsed, "To my wyfe." (Copy in the hand of J. Browne.)

June 26, 1645. Original paper from the Scotch Commissioners Subscribed—Jo. Cheislie. (Printed in *Lords' Journals*, vii., 464.)

July 2, 1645. Original paper from the same, subscribed as the last (Printed in *Lords' Journals*, vii., 475.)

July 3, 1645. Original letter from Derby House from A. Johnston and R. Barclay, to the Speaker of the House of Lords, enclosing the last paper. Seal. (Printed in *Lords' Journals*, vii., 464.) In the original is the following postscript: "While wee were despatching this paper to your Lordships, Mr. Brown, Clerk to the House of Peeres, came hither with those letters, but told us that in respect they were to be communicated to the City in the afternoone, he could not stay nor leave them with us till wee perused them."

July 4, 1645. Duplicates of a paper from the Scotch Commissioners, both subscribed—Jo. Cheislie. (Printed in *Lords' Journals*, vii., 479.)

August 11, 1645. The camp before Hereford. The Earl of Lothian and John Corbett to the Committee sitting at Derby House. (Printed in *Lords' Journals*, vol. vii., p. 538.) LORD BRAYNE'S  
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August 11, 1645. "The Leager before Hereford." The Earl of Lothian to the Scottish Commissioners. (Copy. Printed in *Lords' Journals*, vol. vii., p. 539).

September 3, 1645. Draft of letter to be sent to Sir Thomas Fairfax. (Cf. *Lords' Journals*, vol. vii., p. 565.)

[After August 15, 1645.] A paper of Latin Chronograms upon the battle of Naseby, the battle of Langport, the taking of Bridgewater, and the taking of Sherborne Castle.

September 4, 1645. Copy of a letter from the Derbyshire Committee at Derby to the Committee at Derby House. "Wee are bould to represent the sad and suffering condition of our distressed County, being the Theatree whereon the guarrisons of Newwarke, Lichfield, Ashby, Titbury and Welbecke (which hath its onely subsistence from this county) doe dayly exercise there barbarous cruelties by imprisoning our honest countrymen, by imposing insupportable taxes upon them, by sweeping away there cattle, against which mischiefes the onely meanes to oppose and to protect ourselves is our horse, fower hundred of which your Lordships have comanded to Generall Poynts by your letter of the 30th of August to Sir John Gell; which in there last march after the king are much worne and decayed, and wee unable to recreute them, soe that upon advance of fower hundred of our horse (wee having but about five hundred, and fower guarrisons to maintayne therewith), weeshall be rendered unable to defend our county, and are confident that the enemy will take this opportunity to infest the same by there dayly incursions all which wee humbly remonstrate unto your Lordships, hoping that in your wisedomes you will please to spare our horse for the necessary protection of our expiringe country, which is the ardent desire of your Lordship's humble servants, Nich. Leek, H. Leigh, Nath. Hallowes, Joh. Isbunds, Rob. Eyre, Fr. Revell, Row. Morewood, Edw. Charlton, Ra. Clarke."

September 8, 1645. Letter from the Committee at Derby House to the Houses of Parliament, enclosing the last letter. (Printed in *Lords' Journals*, vii., 572.)

September 10, 1645. Original letter from the Scotch Commissioners to the House of Lords. Subscribed—Jo. Cheislie. (Printed in *Lords' Journals*, vii., 575.)

September 12, 1645. Original letter or paper from the same to both Houses of Parliament. (Cf. *Commons' Journals*, iv., 273.) It hath pleased the Lord our God, who worketh all things according to the counsel of his own will, in his wise and righteous providence so to dispose at this time upon the affairs of the kingdom of Scotland that they are upon the sudden brought to a lower and more deplorable condition than could in any probability have been expected or the enemy himself in his pride could have presumed. We speak not of the devouring pestilence, which in many parts of the land, especially in and about the chieftest city, hath raged for a long time in many degrees above anything that either ourselves or our predecessors have ever known, and hath taken away many thousands of the people. This (although it hath been a great advantage to the enemy and no small discouragement and hindrance to the opposing of his power), we acknowledge to be a plague from the more immediate hand of God, against which there is no remedy from man but the fervent prayers of the people of God, which we

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earnestly desire may be here continued as they are piously begun, the Lord be entreated for the land.

Our desire is to represent what the sword of the enemy hath done, after many conflicts in divers places in the North of the kingdom whereby great numbers hath fallen, and the enemy, despicable in the beginning, hath increased in strength and boldness, at last in the bowels of the kingdom he hath so far prevailed, that not only thousands of the best affected have loosed their lives, and divers of them taken prisoners, but also our whole army and forces are put to the worse and scattered: such as were most zealous for the covenant and cause of God (having no army on foot to join with nor garrison towns for place of refuge) are forced to fly for their lives and to leave their habitations, possessions, and all that they have in this world to the cruelty and spoil of the enemy. Many of the common sort are drawn away by his flatteries and promises by the proclamations which he maketh and the declarations which he emitteth, at his pleasure offering unto them protection to their persons and estates, freedom and exemption from all the taxes, impositions and burdens which they are pressed with for the maintenance and supply of the armies in England, Ireland, and at home in their own country, together with the liberty of their religion, according to their National Covenant and all other liberties and privileges formerly established with His Majesty's consent; upon condition that they will renounce their covenant with England, and take an oath that they shall no more lift arms against the king and his assistants. Some of place and power who formerly were either professed enemies to Religion, or never took Religion to heart have dealt falsely in the covenant and presuming upon the success of the enemy and waiting for such a time as *this is*, have joined with him against their country. The most faithful of the ministry by the principal enemy and by malignants in their own congregations are driven from their stations and forced to seek shelter for the saving of their lives, whereby the people left behind are laid open to all sorts of temptations and Religion itself is in no small danger. As we are not willing to conceal or extenuate their miseries, in this day of the Lord's visitation, so are we not able sufficiently to express them: the yoke of their transgressions is bound by his hand, they are wreathed, come up upon their neck, he hath made their strength to fall: the Lord hath delivered them into their hands from whom they are not able to rise up. In this their extremity the Committee of the notables of the kingdom being for the present put out of all hope of any succours from their forces in Ireland, and knowing no other means of help, found it necessary, unless they would lose the kingdom and lie still under such miseries, as are more intolerable than death, that the Scottish army in England should move Northward, to the end that (if God in the present time did provide no other way) they might come to their relief and deliverance, and withal to employ the affection counsel and assistance of their brethren of England, and therefore to send the Lord Chancellor for representing their distresses and desires to the honourable houses.

Concerning the speedy march of the Scottish army Northward for their relief, they supposed that Charity would move the honourable houses and all charitable Christians to consider that in the time of extreme trouble, natural affection on both sides, in calling for and giving of help is irresistible, and that there was no liberty left in such a case, when both the public and every man's private was in hazard and well near lost either for the Committee or for the army to consult or to choose what to do. That their justice would bring to their remembrance that this

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army (as is contained in the treaty) was levied and came into England for the pursuance of the ends expressed in the covenant, which were the safety of both kingdoms, and their mutual defence against the popish, prelatical, and malignant party, their adherents in both kingdoms, and that they were to be employed where they might be most useful for the common cause and for opposing the enemy, where his power and the danger was greatest. In this notion was their marching to the North, when the King went Northwards, looked upon, and now when his forces have so far prevailed in Scotland their marching thither is to be interpreted to no other sense. They supposed also that the wisdom of the honourable Houses would make them see that this expedition might by the blessing of God not only be a means of deliverance to Scotland, but also prevent the invading of England by a new army, which, if Scotland be altogether subdued, may be certainly expected. The timeous prevention of such an invasion may prove no less favourable for the good of the cause and to the kingdom of England than the present opposition of any hostile army within the kingdom of England.

As those necessary considerations have moved the Committee of the estates of Scotland to desire the marching of their army Northward, so are they confident the honourable houses will rest satisfied therewith, and do expect from them and from all the well affected in England, a brotherly compassion and Christian fellow-feeling in their bitter sufferings, all necessary assistance and seasonable supply of arms, ammunition, and money, and in due time such forces as may be spared, if thorow the increase of their troubles their need shall require, and call for them. It shall not be necessary to multiply arguments to this purpose: the wisdom of Parliament can call to remembrance the expressions in their own declaration of the 7th November 1642, and in the papers delivered in by their Commissioners in their names to the Convention of the Estates of Scotland, August 12th, 1643, together with the treaty and the Solemn League and Covenant. It will never be forgotten by our brethren of England that when our country was in great quietness and the greatest assurance that was possible was offered for our future security, we choosed rather than to enjoy our own peace without the peace of this kingdom, upon the reasons contained in the declarations of the kingdom of Scotland, to come with an army into England, against all discouragements, that might arise either from the stormy winter season, or the power of a mighty army in the North of the kingdom ready to encounter us. What the endeavours, the actions, and the success of that army were, let the enemy before that time prevalent, from his own sense give testimony.

When the kingdom of Scotland had layed forth their strength for the recovery of Ireland and defence of England, and promised unto themselves security from foreign invasion, especially from Ireland, upon the grounds contained in the large treaty and in the propositions made by Commissioners sent from both houses, and particularly by the ships; which according to an article of the late treaty were to be employed for defence of the coast of Scotland; an enemy nevertheless from Ireland entered the kingdom of Scotland, having no other controversy nor pretending any other cause against them but their treaty and covenant with England and their assistance following thereupon, and have prevailed so far, as hath made this sad remonstrance necessary at this time.

It is no matter of great difficulty (unless we will shut our eyes and hide from ourselves our own danger and threatened ruin), to discern and determine what is the great and main design of the enemy now waxed proud and insolent by the afflictions which the Lord hath brought upon

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the kingdom of Scotland : when he hath brought all these under his power, a work, which through the malignancy of some open and many formerly secret enemies now appearing and joining with him, through the sufferings, calamities and hatred brought upon the best affected, and such as hath been most active and instrumental in this cause, and through the discontent and distempers of the multitude, for the loss of their means and friends in the war at home and abroad, he presageth to be more easy and feasible, than what he hath already brought to pass; his second expedition is against the parliament of England, which is not any uncertain conjecture, but his own professed resolution and confidence; but is too apparent, that unless he be speedily suppressed he may through the concourse and combination of the malignants of Scotland and of the Northern Counties of England grow to a greater strength (especially if he join with the King and his forces, which he is also very confident of) than can be afterwards safely opposed; and thereby may reduce these kingdoms to a more miserable condition, in respect both of religion and liberty (beside all their intervening sufferings) than they were in before the beginning of this unhappy war. We know the cause is the same which it was at the first undertaking, that the Godly in Scotland, who loved it from the beginning, are resolved to live and die in it; that the conjuncture of the two kingdoms which the enemy labours to divide and so to overcome, is no less beneficial to both than it was formerly conceived to be; that the Popish and prelatial faction in foreign parts as well as in His Majesty's dominions, upon the union of these kingdoms, are more strictly and powerfully combined than they have been at other times; that the reformation of religion and the common interest of all the reformed Churches in Christendom groaning so long under the Cross is as much to be looked into as ever, and who knoweth but the Lord in His wisdom and justice is at this time putting both kingdoms to a further trial, the one by suffering, the other by doing, that it may be known whether they have been seeking their own peace and preservation, or the honour of his name and good of Religion.

We may without giving the least cause of offence in this conjuncture of time make use of the words of the declaration of the convention of Estates of the kingdom of Scotland to the subjects there concerning their expedition into England for the assistance of their brethren, only changing the persons, and if they were not extant in that declaration we would have expressed ourselves in another manner: The Lord save you from the curse of Meroz, who came not to help the Lord, to help the Lord against the mighty, when we look upon the cause which Scotland maintaineth, the prayers, tears, and blood which they have poured forth and the insolencies and blasphemies of the many, we cannot doubt but enlargement and deliverance shall arise unto Scotland, but England hath reason to fear, if upon so fair a call they sit still and hold their peace, they shall perish by the hand of the same enemy and there shall be none to deliver them. We have many grounds of assurance that this cloud shall pass over and after the Lord hath proved and tried the constancy of his servants, the malignancy of hypocrites, and the fellow-feeling of our brethren his face will again shine upon us and his hand will raise us up and ruin our enemies, our desire and expectation is that in the day of our rejoicing our brethren may rejoice with us and be comforted in this testimony that they did not forsake us in the day of trouble.

We cannot deny but during the sitting of the parliament, and divers times before, this kingdom hath laid to heart the dangers of the kingdom of Scotland, nor can it be denied that the kingdom of Scotland hath of late given abundant testimony of their affection and faithfulness to this



kingdom, in departing the kingdom after such a manner in the year 1641, which we mention, because of the many sinister suspicions and unjust calumnies vented to the contrary, and by their coming again into this kingdom at such a time for such ends and against so many impediments. If any discontent, differences, or jealousies have been raised, which were nothing strange, because very ordinary and incident in the time of war, a time that useth to produce many and great difficulties, we desire that they may be all mutually forgiven and forgotten, that the war be managed in Scotland as in England by the joint committees of both kingdoms, and that in everything a right understanding and a strong mutual confidence may be revived and renewed that either kingdom may help the other in the time of trouble as if they were but one kingdom, and the Lord may delight to bless them both.

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September 19, 1645. Draft report of the Committee on Lord Hunsdon's case. Probably in the handwriting of Lord Roberts. (Printed in *Lords' Journals*, vii., 584.)

September 25, 1645. Original letter to the Speaker of the House of Commons from Major-General Poyntz announcing his victory at Rowton Heath. (Printed in *Lords' Journals*, vii., 606.)

September 26, 1645. Original letter, with heraldic seal, from Colonel Norton, Governor of Portsmouth, to the Committee of both Kingdoms. When your order for my drawing towards Sussex in respect of the clubmen come into the county, I was then waiting upon the General to desire some assistance of him both for the reducing of Winchester Garrison and the subduing the clubmen in our county [Hampshire]. I prevailed with the Lord General for a regiment of horse to effect the latter, which by God's blessing I hope is done, for upon Wednesday last they were all assembled at one place, and I drew up all our horse round them and then demanded some of the chief of them and their arms. The first though unwillingly they yielded to, the latter we forced them to, but though they had granted the first some of our Committee being there (unknown to me) while I was busy in disposing the horse had given their words to them that they should go off without prejudice, which in regard one of them was a Parliament man I was forced to yield unto, but I hope I shall get them again. There were only two towns that resisted us, which were very ill affected, and it pleased God to separate them from the rest before they gave us occasion to fall on them. I believe we took from them above 500 arms, their colours and drums. I hope this will be a warning to Sussex; if not, we shall be ready to serve them the like trick. Truly it was high time, for it is evident by the heads of them that they intended mischief, and I am persuaded it is the last and most devilish plot that the enemies of God and good men have left them. I have three of the most notorious rascals prisoners though they are not chief men, and I hope to get the rest. I wish I might know what to do with them, and wish I might have power to hang some of them if they rise again. In the mean time while I am serving the country abroad I am suffering at home. I wrote to the Lord General concerning my garrison. Truly I have not a penny to pay them on Monday sevensnight, and if I am not supplied by the excisemen I am sure they will all mutiny here, for I am confident there is not a more disorderly soldiery in England. Therefore I most humbly beg that I may have a power of martial law, my Lord General gave it for Hampton. (Cf. *Commons' Journals*, iv. 279, 280.)

October 14, 1645. Original letter from the Scottish Commissioners to the Speaker of the House of Lords. (Printed in *Lords Journals*, vii. 637.) Heraldic seal affixed.

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October 21, 1645. Order in extenso to Mr. Browne to deliver up to Mr. Leicester Devereux the deeds and writings therein mentioned. (An abstract of the order is printed in *Lords' Journals*, vii. 654.) At the foot is a receipt for them dated November 7th, and signed Leccs. Devereux.

February 11, 1645[-6]. Copy of an Act of the Common Council of the City concerning a letter received from the Parliament of Scotland, dated at St. Androis, January 27th, 1646 (new style). (The letter of which a copy is annexed is printed in Rushworth, iv. 1, 232. Cf. *Lords' Journals*, x. 104.)

March 14, 1645[-6]. Lincoln. The Earl of Rutland and Lord Mountagu to the Speaker of the House of Peers. (Printed in *Lords' Journals*, vol. viii., p. 220.) Heraldic seal affixed.

[July, 1646.] Original paper from the Commissioners of the Parliament of Scotland, signed—J. Cheislie.

They had received on the third of this instant July a declaration of the Parliament of England concerning the distinct and divided interests of the two kingdoms in the propositions of peace agreed on by both kingdoms to be sent to the king, and concerning the distinct legislative powers in each kingdom, to continue, repeal, or alter any law that shall be made upon the said propositions. While the Commissioners admit the distinct legislative power of both kingdoms and have no thought of the dependency of one upon the other and concede that there are matters in the propositions which concern England alone, they assert there are others of the highest importance which are of common and joint concernment to both kingdoms. A league between two kingdoms cannot be altered without the consent of each. They cannot therefore acknowledge without distinction that the interest of both kingdoms is divided in the propositions for the Covenant itself and the treaties between the kingdoms on the matter of divers of the propositions. They must therefore expect from the justice and wisdom of the Houses, that as regards matters of joint concernment they will never conceive themselves to be the sole judges, or to have power of continuing, altering, or repealing them, as they shall think good, without the consent of the kingdom of Scotland. They support their argument by the late declaration of both Houses that they are fully resolved to maintain the Solemn League and Covenant and the treaties between the kingdoms, and also by the declaration made divers months ago by both Houses to the States General [dated August 5th, 1645] showing why the mediation of the Dutch Ambassador could not be accepted without application to the kingdom of Scotland. (Cf. *Lords' Journals*, viii. 414.)

July 10, 1646. Copy of an Act of the Common Council of the City concerning a letter received from the Church of Scotland dated at Edinburgh, June 18th, 1646. (The letter of which a copy is annexed is printed in Rushworth, iv. 1, 307. Cf. *Lords' Journals*, x. 104.)

[Before September, 1646.] A list of the subscriptions of nineteen lords in the Long Parliament.

October 14 and 15, 1646. Copies of the examinations of Lawrence Chapman, Samuel Pecke, and Anne Griffin touching the printing of the three speeches of the Earl of Loudoun and copy of the warrant from the Earl dated October 13th but written on October 14th. (For the substance of these examinations see *Commons' Journals*, iv. 693, 695. Cf. also Rushworth, iv. 1, 336.)

December 1, 1646. Worcester House. The Scottish Commissioners to William Lenthall, Esq., Speaker of the House of Commons. We

have received your letter with some sealed papers, which, you say, contain the answer of the House of Commons to our paper of the 20th and letter of the 24th of October. Although we very much esteem any thing that comes from that honourable House, yet we have been sent hither from the Parliament of Scotland to both Houses. The papers relate to the disposing of the person of the King, and all our former conferences, etc. have been with both Houses. We cannot accept an answer from either of the Houses alone, and we therefore return the papers, sealed as we received them. (Copy.)

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January, (?) 1646[-7]. Copy of a paper from Sir Thomas Wharton and Major Richard Salway presented to the House of Lords giving an account of the proceedings of themselves and their fellow Commissioners in Ireland. They left London on October 26th and reached Chester on the 30th, but found the provisions and shipping were not ready. On the 7th and 8th all the horse that had shipping and most of the foot were shipped at Helbry and Liverpool, and the Commissioners that evening came to the waterside but found the men that were shipped in a mutiny not suffering any muster-master or officer to be on shipboard or the seamen to do their duty. The remainder on shore being about 120 stood upon their guard, and would not be shipped, not suffering any officer to come near them, being a very great part Irish or disaffected to the Parliament and under no discipline, and therefore the Commissioners hope to be excused for not prevailing with such men to forbear the 10s. which was formerly promised to each of them upon their transportation, although such forbearance was expected by the Committee for Irish affairs, whose letter to that purpose was not received by the Commissioners till they were going on shipboard. The next day the wind was contrary and on the 11th it was necessary to unship the horse, but on the 12th the wind became fair, they sailed, and got into Dublin Bay on the 13th at about four in the afternoon, and sent to the Marquess of Ormonde for a safe conduct, and on the 14th the shipping weighed and came over the bar, not being able to ride in the road. Upon the 15th at 9 a.m. the treaty began. Subjoined are copies of the safe conduct and accompanying letter referred to in the last.

January, (?) 1646[-7]. Copy of a second paper from the same to the same. Mentions that on Thursday the 17th one of the ships having about 240 men on board having the day before been in collision with another was forced to run aground to save the men, and most of the rest of the soldiers having come into the town (notwithstanding strict orders to the contrary) and many the soldiers from their bad accommodation on board and want of provisions having fallen sick, the Commissioners asked Lord Ormonde's permission to land the soldiers which was accordingly permitted. Subjoined are copies of the Lord Lieutenant's letters promising to allow the soldiers landed to re-embark, and of the Commissioners' engagement that the soldiers disembarked and to be quartered at Ringsend, Lowsy hill and Bagotrath should do no injury to the people of those places or the city of Dublin.

January, (?) 1646[-7]. Copy of a third paper from the same to the same stating that the treaty not succeeding the Commissioners thought it best that a quorum of them should accompany the forces to Belfast.

January 11, 1646[-7]. Copy of the narrative of Sir Thomas Wharton about the cipher agreed upon between the Marquess of Ormonde and the Commissioners. When the negotiations were at an end he expressed his sorrow at their failure, and his intention of attacking Owen Roe O'Neale, and would communicate the time of doing so to

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the Commissioners in Ulster, and would use all his influence to gain the King's consent to surrendering the garrisons and forces to the Parliament, and would communicate the King's answer to the Parliament and the Commissioners in Ulster. It was solely for these purposes that the cipher was agreed upon. Subjoined are copies of the only two letters for which the cipher was used.

January 27, 1646[-7]. Draft of a letter to the Parliament of Scotland. (Printed in *Lords' Journals*, viii. 691.)

February 8, 1646[-7]. Paper presented by the East India Company to the House of Lords. With regard to certain points they refer to their petition presented to Parliament some years before [in 1636, and printed in 1641] while with regard to the new objection against the pursuance of the East India trade by one joint stock they justify their practice by the following arguments:—

1. They had to encounter the Portugals and Hollanders as their competitors, from whom in their united condition they had sustained many assaults injuries and indignities; if weakened by division they feared on the first occasion of dissension to be utterly crushed and destroyed.

2. In the infancy of the trade it had happened that three ships for many distinct stocks had arrived to load at the same port, and the natives, knowing that if they did not load while the monsoon served they would be detained six months, and observing this competition to the advantage of it to buy cheap and sell dear.

3. The voyage being so long and exposed to so many casualties such as death of men, loss of rigging and provisions, &c. a joint stock takes care of all, and all their outward bound ships carry supplies to relieve such distressed shipping as they may meet homeward bound, and for this a rendezvous is appointed. This has been the preservation of many ships of great value. The contrary has been the cause why so many have miscarried in Mr. Curteene's employment.

4. The trade of East India is now settled in the dominions of sovereign Princes, in which they maintain 23 factories, and 92 English factors of all conditions, upon which factories depends the employment of 20 ships, a great part of which are employed from port to port in collecting merchandise to be ultimately shipped to Europe. This can be managed only by a joint stock.

5. By their treaty with the people in all places of India they are bound to make satisfaction for all injuries committed by Englishmen. They cannot adventure their estates to the mercy of other men, in whom they have no interest and over whom they have no control. They mention the instances of Cobb and Ayres in the Red Sea and of Captain Weddall in China and at Messulapatan.

Lastly the East India Company having tried all other ways and finding by long and dear experience that one joint stock is the best and only way to carry on this work with honour and profit to this nation, they humbly beseech their Honours to believe that they are not so prodigal of their reputations, nor so treacherous to their own or other men's estates, as to propose the managing of them in a known way of prejudice, nor have they any such interest in the present government as to doth perpetuate unto them the least particular advantage. They shall be out of office in July next, and so shall continue to be, except they be chosen anew by the generality of adventurers. They therefore humbly beseech their Honours to believe that it is not for selfish or indirect ends they solicit their countenance and encouragement to

support the trade which they hope will become a national one. Notwithstanding their title to it they are ready to admit any man to join for a very small consideration by way of acknowledgement.

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Another copy of the last with the reasons delivered on February 13th by Alderman Fowke by order of the Lords' Committee to show that a general joint stock is not the best way for the carrying on of the East India Company.

(A copy of the Remonstrance and petition above referred to, being a printed pamphlet, is among Lord Braye's papers.)

[January or February, 1646[-7].] Copy of a letter from one of the Irish Commissioners to the Speaker of the House of Lords. Defective in parts. This is the fifth time I have written to you, since my landing in the North of Ireland. I will not repeat anything again saving the short paper that [came] from my Lord of Ormonde. It was sent from — Robert Ward at Dundalk a notable malignant. [It] was directed to Sir John Clotworthy, and Ward's letter only signified it came from a friend to whom he would return answer if it required it. The words of the paper were as follows:—I have prevailed with my Lord Digby, and am more than hopeful you shall hear from me shortly to your content. These words were written in Character, and Sir John produced a Clavis left with him by Sir Thomas Wharton, which he said would open it, but upon trial it would not do. However in regard I thought there might be something of moment in it I gave it not over till I had almost made it out and then with Sir John's help we completed it. It had no date nor any direction upon it. To whom it was meant I know not, but this I am sure of; there was no reason to write to us of prevailing with my Lord Digby for I expect no good of anything his counsel is in.

May 11, 1647. Holmby. The examinations of John Brown and Mrs. Mary Cave. (Copies. Printed in *Lords' Journals*, ix. 190.)

May 12, 1647. Holmby. The Earl of Denbigh and Lord Mountagu, to —. (Copy. Printed in *Lords' Journals*, vol. ix. p. 189.)

June 12, 1647. London. The Mayor, Aldermen, and Commons, to the Commanders of the Army. (Printed in Rushworth's *Collections*, part iv. p. 557.)

June 23, 1647. St. Albans. Sir Thomas Fairfax to Alderman Warner, and the rest of the Committee sent from the City of London to the Army. In order to keep a right understanding with the city, we desire that some of your number may stay with us at head quarters. I shall, as I told you, remove my head quarters to Berkhamsted, and I expect to hear from you to-morrow night. (Copy.)

September 22, 1647. Paper under the hand of Thomas Andrews, Alderman; stating that he had subscribed 1,000*l.* in a second general voyage now undertaken to the East Indies and that as he was not satisfied to take the oath formerly required of members of the said company he thereby promised and agreed to submit to and obey all orders to be made by the adventurers or the majority of them in this second general voyage, and as a security thereof he thereby deposited his stock.

A folio volume, newly bound, and lettered "Letters and State Papers," 1648-1710.

February 21, 1647[-8]. Order made at a Committee of Lords and Commons at Derby House. With it are (1) a paper beginning:—"A cypher sent in a letter from the King to the Duke of York." Signed "Yorke."

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(2.) A holograph letter from the Duke of York, with eight words in cipher. Signed "J. Darly."

(3.) A copy of the above deciphered.

(All the above are printed in *Lords' Journals*, vol. x. p. 77.)

[July 18 or 19, 1648.] Copy of a letter. On Friday the 18th of this instant July, the English and Scotch forces from Carden, Carden, Danston and thereabouts advanced in a body about 1000 strong within two miles of Penrith, whereupon Major-General Lambert and his forces retreated at about 11 that night towards Appleby. The horse were in a body from then till Monday morning early, having been so long on duty, and the weather foul and wet, they disposed to quarters, leaving only Col. Harrison's regiment on guard on a hill beyond the town. That day at about one, the enemy forced them to retreat without much loss, only one lieutenant being slain and the colonel himself wounded, but not mortally. He is gone to Lancaster. The enemy then advanced to the town, but the water being raised by the great rain, they could only approach by the bridge, which was very well defended by our men, and after the enemy had been often repulsed, the dispute holding from about 3 to 7 p.m., they retreated, and our men attacked and followed them about a mile, until it was very dark. Many of their foot ran away and threw down their arms. 300 of the enemy are reported to be slain and 100 taken prisoners, while we did not lose above six or seven. That night towards morning, our men retreated towards Bowes and Barnard Castle, expecting more forces to join them, but did not hear that the enemy advanced after them the next day. (Cf. Rushworth, iv. 2, 1200.)

September 8, 1648. Draft of a Latin letter from the Houses of Parliament to the Estates of East Friesland, thanking them for presenting an officer from Lorraine levying troops there against England, and asking them to do the like in future.

September 14, 1648. Brancepeth, near Durham. Thomas Margetts to John Browne, Esq., Clerk of the Parliament. Has received his letter of August 15th only that day in consequence of his being out of the way with the party commanded by Major-General Lambert in pursuit of the Duke's horse that fled from their foot at Warrington. Had he received it sooner he would willingly have answered his desire. He presumes that now he has had a full relation of the battle, yet he believes not so fully and truly as it happened. He perceives more is attributed to some and less to others than they deserved. Is collecting the truth of the whole business, and hopes to send a copy by the next or second post at furthest. Has at present but little news only that Monro is gone into Scotland with all the Scots both horse and foot, the English under Sir Thomas Tildesley and Sir Wm Blackston are about Chillingham 10 miles on this side Berwick in Northumberland. The Lt. General [Cromwell] with all the horse and foot (except the Lancashire which stay in their own county and the 4 Regiments of Horse sent with Major-General Lambert) are (sic) about Alnwick and are marching to the borders, he having sent for these 4 Regiments (lying now about Durham) and Col. White's and Col. Hacker's (lying about Pontefract) to march up to him with all speed. 'Tis conceived we may march into Scotland, if there shall need. I presume you have heard that David Lesley with old Leven and Argyle are in the head of 8,000 horse and foot about Edinburgh and have made the Committee of Estates to fly, which is conceived to be the cause of Monro's speedy march into Scotland. It is true that Lesley, the Governor of Berwick, would not

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admit any of the Scottish or English cavaliers to come into that garrison in their passage, and reported that he affirmed that he always kept that place for the Parliament of England and will deliver it into their hands, the latter I cannot report for certain, but something there is in it. The English cavaliers both in Westmoreland, Cumberland, and Northumberland are now in so staggering a condition they know not what to do, swearing they are bewitched and will fight no more and do daily disband, depart from their colours, and shift for themselves." His absence from headquarters prevents his giving a better account. P.S. "I took the boldness as we marched from Uttoxeter through Derbyshire to visit Mrs. Gell, and found her and Mr. Gell with their little ones very well at Hopton Hall, but were preparing a little before the routing of the Scotts' army to remove their quarters. (This and all the other letters from the same writer are sealed with a seal bearing the device of a centaur and motto *Nosse (sic) teipsum.*)

September 20, 1648. Belford. The same to the same. When I wrote to you last week I thought we should have overtaken the Lt-General before this time with his party of horse, but he being far before us and marching as fast as we hath left us yet behind. Ludovic Lesley having returned answer to the Lt. Generals summons of Berwick very fair, viz., That being a servant to the Committee of Estates he cannot deliver it up without their order, but if they command, he is willing (that is the substance of it), the Lt. General drew up his army before it, lying himself within two mile, found a great deal of tameness, not any act of hostility past between them. Upon this answer, the Lt. General dispatched away Col. Bright and Major Strachan as Commissioners to the Committee of Estates, and it is much hoped they will carry both that and Carlisle. Mentions a report, which he believes, that Argyle being in a better condition than Lanrick and that party and they being near each other has offered him these terms: That he would forthwith lay down his arms and disband, sequester himself from all public employments till the next parliament, and surrender Berwick and Carlisle into the English hands, and he would receive him, but the Lt. General thinking it not amiss to strengthen the well affected with all speed hath resolved to march into Scotland, and accordingly Major-General Lambert yesterday morning passed Tweed with 4 regiments of horse and some dragoons and this morning the Lt. General with his own regiment of horse and all the foot is marching after him and to-morrow or next day I think we with this party of horse shall tread upon Scottish ground also. But the Lt. General before his entrance sent an express to the Committee of Estates to acquaint them with his intentions and to assure them that, as soon as he had strengthened the hands of the well affected party, and should have the garrisons surrendered, he would forthwith march out of that kingdom, and this he bid them be confident of for he spoke it out of the sincerity of his heart, and not out of hypocrisy or dissimulation, for he had so evidently seen the hand of God against Duke Hamilton for his invading England upon false pretences and hypocritical grounds, that if he did not really intend what he affirmed he durst not enter into their kingdom. It was rumoured that there had been some engagement in Scotland and that Argyle was worsted first, then that Lanerick was worsted by him, but I cannot hear of any such thing at all for certain, and do not believe it. Has not yet been able to finish his account of the battle.

September 21, 1648. A catalogue of the books and papers delivered to the Committee appointed to treat personally with the King.

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September 26, 1648. Mordington. [Thomas Margetts] to John Browne, Esq., Clerk of the Parliament. On Thursday last, the Lieutenant-General [Cromwell] passed the Tweed, after the party he had sent over with Major-General Lambert, the present occasion being to face and block up the north as well as the south side of Berwick. After being at the rendezvous on that side, the town being faced on all sides by our army, he returned to his quarters at Mordington, the house of Lord Douglas, about two miles north of Berwick, and he received notice that the Marquess of Argyle would be with him on the following day.

On Friday morning, the Lieutenant-General [Cromwell], Major-General Lambert and other officers went out to meet the Marquess, and brought him to his quarters, accompanied by Lord Elcho, Col. Scott, and George Porterfield, as commissioners from the new Committees, with the Marquess, for procuring the delivery of Berwick and Carlisle, and for giving them into the hands of the English. Sir Ch. Erskine and Sir James Fraser came also as companions to them. That day the Marquess sent a trumpet into Berwick for a safe conduct for Lord Elcho and others to go in to the Governor and deliver their message from the Committee of Estates, which was not returned until the next night, and then the safe conduct was brought. They delivered letters of which copies are herein enclosed, but they returned with a negative answer.

The next day, being Sunday (*sic*) the Marquess, the Lieutenant-General and others went again to the walls of Berwick and sent for the Governor to come forth. The Marquess (but not the Lieutenant-General) had private discourse with him. At last it was agreed that he should have liberty to send to Lanerick before giving any further resolution. Two gentlemen were despatched, to return by next Thursday night. No cessation was agreed on for the mean time, and we therefore drove away abundance of cattle from before the walls, which made them so angry that they have ever since been pelting at us with great and small pieces. As yet they have done us no harm. On the south side we have possession of the foot of the bridge and on the north we are very near. Neither party will be idle until the return of the messengers, whose good or ill report depends upon the agreement or non-agreement of the forces of Argyle and Lanerick. The latter are at Stirling Bridge, 26 miles north of Edinburgh, the former 12 miles on this side of Stirling. The substance of the agreement, if there be one, will be:—

1. That both the armies in the field, and the garrisons in Scotland, at Berwick and at Carlisle, shall be disbanded and "disgarrisoned."
2. That all differences of religion shall be referred to the General Assembly, and all civil differences to a Parliament to be speedily summoned.
3. That, to prevent a quarrel with England, none of Lanerick's party who were in the late Engagement against England shall be admitted to the Committee of Estates until the sitting of Parliament.

In Scotland the royal and Presbyterian parties are mixed, and it is uncertain which interest is the most powerful. The Independent party are "but as the gleanings of the harvest, and in their tender and budding state, but thriving and growing apace." The two former parties are both against the latter, and both against one another. When the sad divisions in England opened a gap, they strove which should first appear against it. The royalists were ready first, and invaded England with a mighty army. Since their defeat, the two parties have appeared in the field as friends lest the spreading evil of Independency should



infect their Kirk. Argyle through his connection with the Kirk is likely to be powerful in the next Parliament. The Hamiltonian party must submit, else excommunication will be their doom.

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If the two armies do not come to an agreement, we shall join Argyle and prosecute Lanerick and Monro, on account of the invasion of England. If they agree we shall have our garrisons and face about. A regiment of Argyle's has lately surprised and taken a regiment of Lanerick's, and a party of his men has also taken 1,000 arms which landed at Leith for Hamilton's army, coming from Dunkirk. It is the object of Scotland to live upon the divisions of England.

October 2, 1648. Berwick. Oliver Cromwell to ——. (Copy. Printed in Carlyle.)

October 3, 1648. Seaton, near Musselburgh. Thomas Margetts to John Browne, esq., Clerk of the Parliament. On Wednesday last Major-General Lambert advanced from his quarters at Mordington with 6 regiments of horse and two troops of dragoons. The next night his vanquaters reached within 5 or 6 mile of Edinburgh, which gave a hot alarm to the whole kingdom, and was the cause of the two armies making up their agreement so suddenly according to the articles inclosed. Berwick was delivered up to the Lieutenant General on Saturday last, and Lodovic Lesley marched forth with his forces and is now at Dunbar marching up to Edinburgh to be also disbanded." Cannot relate the particulars, having marched away with the Major General, except that he heard the English had no conditions given them. Colonel Overton's regiment was left to garrison Berwick, and all the horse and foot, except 5 regiments of horse left behind with the Major General, are marching to Carlisle and will be there next Friday. They think that place will be soon surrendered, as the Committee of Estates have sent the same orders about it as Berwick. These five regiments were also ordered to march to Carlisle, but the Committee of Estates sent a letter last night to the Major General, earnestly desiring his stay where he now is with his horse, because they have not yet heard whether Monro doth disband or not according to the articles agreed on. "Our army is their greatest strength, without which they could not have disbanded Lanerick, Crawford, Monro, &c. Nay Lanerick sent word to Lesley that had it not been for the English army he had scorned to have received conditions from him, but would have given him conditions. 'Tis happy for this kingdom that this army entered, for carrying so fair even beyond expectation, and thereby giving interest and respect they are like to be a means to procure its peace at least for a time. I wish the differences in England could be as easily reconciled as those in Scotland. On Saturday last, the Major General went to Edinburgh with divers of his officers to visit the place chiefly; much gaping there was upon him, some with smiling, some with sour faces. He went to visit my Lord Chancellor and the Earl of Leven (to whom he had before given notice of his approach) and had much discussion with them, and several lords and gentlemen of quality came to give him a visit at the Lord Chancellor's lodging while he stayed, which was about an hour, and then returned to my Lord Winton's at Seaton. Our time here will not be long, I hope (Scotland's accommodation (though we have as good quarters as any in the kingdom) comes far short of England), but I think we shall see all disbanded before we return. The Marquess of Argyle and the Lieutenant General (having settled Berwick) came this evening to this town, and the Marquess is gone this night to Edinburgh, and I believe the Lieutenant General himself thither tomorrow, partly out of desire to visit the town, but chiefly (I conceive) to gather a better

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understanding of the affairs and state of Scotland. There is much of outward compliment and salutation passing at all meetings between the great ones of both nations, striving each to exceed other, of which an ingenious spectator may make large comments. Cromwell hath the honor, but Lambert's discreet, humble, ingenious, sweet, and civil deportment gains him more hugs and ingenious respect and interest from the general parties. I could give you a large character of that man's great wisdom and valour, of which this kingdom reaps no little benefit.

October 10, 1648. Dalkeith. The same to the same. I have not failed to write to you by every post, directing my letters to Mr. Mabbet, according to your instructions. On Tuesday last, Lieutenant General Cromwell and Major General Lambert with certain officers went to Edinburgh, where they were very civilly entertained by the Marquess of Argyle. They remained there until Saturday night at the charge of the state. Most of the well-affected lords and lairds of the kingdom came to visit them at Lord Murray's house, which was specially provided for them. The well-affected rejoiced at our being there; the malignants gnashed their teeth, and some of them threatened to be the death of Cromwell and Lambert. Many of our soldiers and officers were very much abused and injured by some in the city who belonged to the late disbanded crew, whose inveterate malice made them desperate. Some of their horses also were stolen. In truth, all the while we were in Edinburgh, we were almost afraid to walk the streets or to lie in our beds, for fear of mischief. On Saturday after noon, before we left, the Marquess of Argyle took the Lieutenant General and all his officers to view the Castle, which is a very large and strong place, and had them in to a very nice banquet there prepared with all sorts of wine and sweetmeats. General Lesley was there to entertain the guests. It is noticed that David Lesley showed himself very little to the Lieutenant General, for he only paid him a visit of necessary civility on the morning after his entry, giving him a bare salute, and presently took his leave, and never saw him more. The Lieutenant General presented a paper to the Committee of Estates, the substance of which was that the chief places of the kingdom should be entrusted to persons well affected to the public good. To this he received a very full and satisfactory answer. The Committee of Estates for their own safety, asked that some of the horse should be left in Scotland. Major General Lambert is therefore left, with three regiments of horse. The rest of the army is marching to Carlisle, which, we hope, will be delivered in a very short time. The Committee of Estates has refused the King's desire as to three persons to treat with him on behalf of this kingdom, and have appointed Sir John Cheesley, and Mr. Robert Blair, ministers, to go to the Parliament of England. Our work here will not be difficult, but we live in great danger, "for an English soldier can scarce be alone a furlong from company, but he is sett upon and robbed and dismounted." Postscript. As we were coming out of the Castle at Edinburgh, they gave us nine or ten pieces of ordnance and a long volley of musket shot.

October 13, 1648. Edinburgh. Warrant to the lairds of Swinton Arnot (?) and Liberton to see such of the English forces as have had their horses plundered or been otherwise wronged recouped out of the estates of those who had been in the late engagement and had not submitted to the late agreement, and to take special care to keep a good correspondency betwixt this committee and them, and betwixt them and the country people where they are quartered. Signed—A. Henderson.

October 17, 1648. Seatoun. Thomas Margetts to John Browne, Esq. Several of our soldiers have lately been set upon in the highways and elsewhere, so that we dare not stir out without a good company "cockt and primed." Particulars about an attack on six men of Lambert's regiment. The Committee of Estates have taken these matters into consideration, which has given us some encouragement. We hope that our stay here will not be long. Within the next fourteen days they will have completed 600 horse in several troops and about 4,000 foot. It is believed that old Lesley will have the chief command. The next convention of Parliament will be in January. Most of the members are already elected, and those who are well affected towards the present Committee say that they are chosen well. The crushed party must therefore expect to be more trampled on.

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November 1, 1648. Broxmouth. The same to the same. By your letter of this post I understand you have received mine which would have sufficiently satisfied me, had you been pleased not to have put yourself to the trouble of writing anything more, particularly in expressing so kind acceptance of that which is so unworthy of it. We are still in Scotland with our 3 regiments, attending the pleasure of the Committee of Estates, till they dismiss us, which we expect every day, but, I believe, will not be this ten days. They are very sensible of the benefit they have of our presence and countenance, being not yet in so good a posture as to act securely, their forces being not yet completed. We are very little burden to the well affected or those in the kingdom that were (not for, and) against the late Engagement, quartering altogether upon the contrary party, and have all this while been in the county of Lothian, till now Col. Twisleton's regiment is removed into the Merse, which is more Southward. The whole state of this kingdom is altered from what it lately was. The Committee of Estates consist only of those that were Anti-Engagers, and by that you may guess what they are doing, pulling down the other party, as fast as they can, and setting up themselves, according to the ordinary practice of all parties, when they are the most potent, to trample upon all others to advance their own interest, which I believe, were not we here, would soon crush out new commotions as they will in danger to appear when we are gone, for the differences between the Presbyterian and Royal interests are very wide and inconsistent, and cannot be at peace without the one holding his sword over the other and that's an ill tenure. By the many personal and reciprocal civilities that have passed between the well affected Presbyterian party here and this army together with the great good done unto them by the army in freeing them from their late bondage and advancing their interest you may guess something at their correspondence. Their interest and practice are not the same, but ingenuity and honor, proceeding from a principle of gratitude will certainly lay a great tie, and now some misunderstandings are removed there is like to be the better harmony and correspondence, for ought I can perceive, and are in a nearer way of compliance than the two former. The last week the new parliament was indicted at Edinburgh Cross to convene the 4th of January according to the usual state of having the Cross hung with tapestry hangings. Being not very well at present I cannot enlarge to more particulars.

December 6, 1648. Petition of the East India Company to the House of Lords, signed—Wm. Cokayne, praying that the ship Ruth and

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the pinnacle equipped by Alderman Andrews and others may not be permitted to proceed to the East Indies. (Cf. *Lords' Journals*, x. 617.)

It refers to the paper of January 8th, 1646-7 and to the paper of September 22nd, 1647 under the hand of Alderman Andrews.

January 24, 1648-[9]. Order of the High Court of Justice to Mr. Millington and Mr. Thomas Chaloner to repair to Mr. John Browne, Clerk of the House of Peers, for such papers as are in his custody which are conduccible for the business and service of the court and to bring them, and requiring the said John Browne to send such papers accordingly.

January, 1648-[9]. Original receipt signed by Thomas Chaloner and Giles Millington for the papers delivered to them by John Browne, Esq., Clerk of Parliament, according to the foregoing order.

February 9, 1648-[9]. Life and character of Mr. John Parker, of Shillingford, [? father-in-law to Mr. John Browne], who died on that day. He was born at Twickenham on November 12, 1572, his father being clerk of the Privy Seal. He was educated at Westminster School, and then spent four years at Trinity College, Oxford, and then four years more at Trinity College, Cambridge. He afterwards travelled in France, and became secretary to Sir H. Nevill, the ambassador there, and on his departure served as agent till a new ambassador came. He was then agent in Denmark, and was made clerk of the Privy Seal on reversion and French Secretary. In 1612 he became secretary to the Earl of Somerset, and on his fall to Sir George Villiers, afterwards Duke of Buckingham, till his death in 1628. He often acted as secretary to King James, and was offered many times to be made Secretary of State, but always refused it. He was a diligent reader of the Scriptures, knowing by heart most of the New Testament, the Psalms, Proverbs, and Canticles. He frequented sermons not only on Sundays, but week days, and at his own expense sent able and orthodox ministers to preach in Lancashire, Staffordshire, Westmoreland, South Wales, and other remote parts of the kingdom, allowing some 50*l.*, some 40*l.*, and none less than 30*l.* a year, and to ministers elsewhere 10*l.* and 5*l.* In 1625 he built a chapel at Groombridge in Kent, which cost him about 500*l.*, and for the rest of his life allowed a preaching minister there 30*l.* a year, and endowed it by his will with 20*l.* a year for ever. In the same year he rebuilt Shillingford Church in Berkshire, costing at least 200*l.*, and in 1629 he bore most of the cost of rebuilding Chilton Folke Church in Wiltshire. The writer then praises highly his behaviour, all that knew him, and his freedom from pride at his advancement, and his charity to the poor, of which several instances are given, mentioning the parishes to which he gave. He also mentions his gifts to the poor ministers banished the Palatinate and the Rochellois, and especially his gift of 100*l.* to the poor Protestants of Ireland, and his advance of 600*l.* for the recovery of that kingdom, half whereof he gave by his will for the bringing up of Irish children in the Protestant religion, and second gift of 100*l.* the previous summer to 20 of those people "who were recommended to him to have lived in good fashion, and now were in want." His charitable gifts by will are then described. He was buried at St. Margaret's, Westminster.

March 15, 1649[-50].—"An assessment made by us whose names are underwritten by virtue of a warrant unto us directed for the raising and levying 28*l.* 1*l.* 10*d.* within this parish of Twickenham towards the maintenance of the troops for the Parliaments of England and Ireland

under the command of the Rt. Hon. Thomas Lord Fairfax, it being for three months from the 25th of March to the 25th of June 1650," containing the names of the persons assessed and the sum imposed on each.

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September 8, 1651. Rowland Berkeley to his father-in-law, Sir Thomas Cave. I thank you for sending to enquire as to our condition at this place, which has been of late very troublesome and hazardous. The storm has fallen very heavily on the town of Worcester and four or five miles around, to the ruin of very many families. You cannot hear too bad an account of the inhabitants of Worcester, all houses being ransacked from top to bottom, the very persons of men and women not excepted. That the business succeeded so ill on the King of Scots side is much attributed to the cowardice of the Scottish horse, who hardly stood one charge, and to the unreadiness of that army in general. The officers not attending their duty could not be found to bring up their men and to send relief where it was necessary. The Parliamentary army plied their business with reserve upon reserve until they had routed all the Scottish forces on both sides of the river, and driven them into the town, and then fell to storming without any reserve. The fight began at Powick Bridge and in Weeke Fields; the main of it between Perry Wood and the town, and all those grounds between that and the Diglesses (Douglas?). We hear that the Duke of Hamilton is taken, being wounded in the body with a bullet, and also Sir James Hamilton, who lies wounded at the Crown. Your kinsman, Lord Grandison, is a prisoner. Being in great want he sent to my wife to inform her of his condition, and she supplied him with 5*l*. and some provisions, the town then yielding none. The number of the slain is certainly great. On Thursday morning the dead bodies lay in the way from Powick Bridge to the town, and on the ground on either side of it, and in almost every street of the town. Many lie killed in the houses, in the College and Church, on the green, and in the cloisters, and quite through Sidbury, and for about a mile that way. Where the King charged in person the slaughter was very great, and the Parliamentary forces gave back, but fresh reserves coming in did the work. The King of Scots fled northwards with about 4,000 horse and Highlanders with him. The Parliament followed him with a greater number, and were about three hours behind him. I shall for the present forbear to trouble you with the relation of the chances that have befallen me in this hurly-burley. As a man that meddled not on either side, I have had very great deliverancies, in my person especially. I have given the bearer 2*s*. Heraldic seal affixed.

September 12, 1651. Cotheridge. The same to the same. I hope that you have before this received a letter from my wife and another from me, by one College, who promised to be with you at Stanford by 10 o'clock yesterday. In these letters you were informed of our late troubles and present quiet. I now thank you for your kind writing by Major Smith's servant, and for your fatherly affection. Your invitation to myself, my wife, and my children, to come over to you is most comfortable, but I cannot be away from home, as you will perceive anon. In my last I only intimated to you some difficulties I passed through in the late bustle; I will now acquaint you more fully of them. On the 3rd of this month, the very day and time of the fight, I was taken from hence by a Major with a party of horse, who had orders to bring me to the King. I had received several private messages from Worcester while the King was there urging me to come to him, but resolving not

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to meddle I had remained at home. Before I came to the town the fight was begun at Powick, and I, being dismissed from the Major and his party to await the King's leisure, enquired the occasion of my being sent for. I was told that Major-General Massy was made Governor of Worcester, and that there was a commission to certain gentlemen of the county, whereof I was one, for the aiding and assisting of him, which employment I not liking went presently to my horse, intending to go home again with what speed I could, the battle being by this time on both sides of the town. By the time I came to the bridge the King's forces were retreating from Weeke and the Parliament pursuing, and a man was suffered to pass. I presently made to the Foregate where I was likewise stopped, and thence to St. Martin's Gate, and getting on there endeavoured in vain to go into the Wick Road. I then took the footpath that goes to Perry Wood, and made up towards the battle where there was hot service, and, being within musket shot, turned over hedge and ditch on the left hand, and got into Wick Way at Barban Bridge, not meeting a man to trouble me, and thence to Ombresley and so to Holt fleet, as fast as I could. Having well passed through the army I rode through fields and closes for about a mile, and then being to cross Worcester road I was taken by a party of Scots. I having neither sword nor pistol, they would not let me pass, and at last began to quarrel as to whose prisoner I should be. At last they told me they would carry me to their party of about 120 horse that were before. When we came to the party they brought the news of the defeat of their forces at Weeke, and finding them in disorder with it, I lagged by degrees till I was in the reare, and, taking the opportunity of a blind lane, clapped spurs over hedge and ditch, and was presently out of sight. About nine at night I came home, having been five hours about it. The next morning by sunrise came a party of the Parliament horse and took me from hence, telling me that I must go to the General and took my dun colt with them, but by the time I came to St. John's I found that they had no order for what they did. At last they were all gone excepting him that led the colt, and for about half an hour we rode about the fields amongst the dead bodies, and I persuaded him to deliver the colt to my man again, and gave him all the silver I had in my pocket, about 15s. or 16s. Since then I have been informed that my name is given in amongst many others for coming in to the King's Scots, and that there are orders issued for inventorying the goods and stopping the rents of all named in this list. If there be any justice left upon earth I hope they cannot touch me. Heraldic seal affixed.

[January, 1654.] "To his highnesse the Lord Protector of the Commonwealth of England, Scotland, and Ireland, and our General, the humble addresse of the officers and souldiers of the army whose names are subscribed," declares, after a preamble, that we only shall not be obedient unto you in the performance of your great trust, but in our places most faithfully and diligently to the utmost hazard of our lives, and whatsoever is near and dear to us be serviceable to you in the station God hath placed you, against all oppositions, not doubting but as God and man hath so highly intrusted you, so you will to the utmost of your power and endeavour lay forth yourself for the glory of God and good of his people, amongst whom, we have reason to think, there are very many of the household of faith, over whom we shall therefore take this boldness most humbly intreating your Highness more especially to spread the wing of your protection, and to account of them as the apple of your eye, which you continuing to do we are confident their Father, which is in Heaven, will be unto you a buckler and a shield,

and an exceeding great reward, which is and shall be the prayers of your Highness' most humble and faithful servants. Then eleven "exceptions against subscription," being reasons against signing the above address, and "some queries and observations touching the army's late proceedings" follow. (Cf. Whitelocke's *Memorials*, 590.)

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September 1, 1655. Madrid. A translation of the king of Spain's declaration laying an embargo on all English vessels and goods found in Spanish ports or territory in consequence of Penn's attack on San Domingo. This particular copy is addressed to the Corregidor of Biscay.

August 1, 1656. A long account by John Bradshaw, the regicide, of his dispute with Cromwell. It is headed:—"The substance of what passed at the Councill Table the 1st of August 1656, betweene the Lord Protector and the Lord Bradshawe."

May 30, 1660. Original Declaration made by Mr. John Browne to entitle him to the benefit of the General Pardon promised by the Declaration of Breda. Witnessed by the Earl of Manchester, Speaker of the House of Peers, *pro tempore*. (Autograph.)

October 3, 1661. Warrant under the hand of William Whitehead, Messenger, ordering the persons therein named to appear before him at the Star at Southampton. On the back are names of persons summoned in the town and county of Gloucester.

Undated. Original petition of William Whitehead, Gentleman, to the King. Sets forth that for his loyalty in 1642 he was plundered in and near Winchester to the value of 500*l*. That in 1643 and 1644, being Commissary General to Lord Hopton, he furnished him with money and goods to the value of 500*l*. more, for which he never received any satisfaction or pay. In 1645 his estate was sequestered, and he lost by the Parliament party above 1,200*l*., and he was obliged to live abroad till the Restoration, since when he has been very instrumental in prosecuting some of those grand traitors lately executed at his own charge. He therefore prays that 3,000*l*. may be granted him out of the moneys arising from the seizure of prohibited goods by himself or his agents.

April 7, 8, 1662. Explanation proposed by the Bishop of Worcester of the clause about the Solemn League and Covenant in the Bill for Uniformity of Worship, but rejected by the House, viz., to add to the Clause (printed in *Lords' Journals*, xi. 422) "otherwise then in such things only whereunto I or any other person were legally and expressly obliged before the taking of the sayd Covenant." (Cf. *Lords' Journals*, xi. 423, 424.)

May 17, 1662. Original message from the King under the Sign Manual. (Printed in *Lords' Journals*, xi. 460.)

April 27, 1664. Certificate under the hand of the Earl of Manchester, of the appointment of William Whitehead as Messenger in Extraordinary to his Majesty. Signed, Manchester (autograph). Seal affixed.

August 23, 1665. Rules and Orders made by the Vice-Chancellor of the University of Oxford and the Justices of the Peace, for the good and safety of the University, City, and County of Oxford, during the plague.

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1666. A table showing the rents at which the excise of each county was let to the farmers of it, for the year commencing Sept. 23, 1665:—

Berks - - - -	2,800	Huntingdonshire - -	1,41
Bucks - - - -	2,400	Kent - - - -	15,00
Bedford - - - -	1,700	Lancashire - - - -	4,40
Bristol and County of Gloucester - - - -	8,000	Leicester and Rutland - -	3,80
Cambridgeshire and Isle of Ely - - - -	4,880	Lincolnshire - - - -	7,20
Cheshire - - - -	2,800	Northamptonshire - -	3,50
Cornwall - - - -	2,100	Nottinghamshire - -	3,10
Cumberland and Westmoreland - - - -	2,000	Norfolk - - - -	13,80
Derbyshire - - - -	2,400	Oxfordshire - - - -	4,20
Devonshire - - - -	9,500	Salop - - - -	2,80
Dorsetshire - - - -	2,700	Somersetshire - - - -	4,50
Durham, Newcastle, Northumberland, and Berwick - - - -	4,700	Staffordshire - - - -	2,90
Essex - - - -	8,600	Suffolk - - - -	7,600
Hampshire and Isle of Wight - - - -	3,200	Sussex - - - -	3,800
Hertfordshire, with South Mimms in Middlesex - - - -	4,600	Warwick - - - -	3,000
Herefordshire - - - -	1,700	Wiltshire - - - -	3,30
		North Wales - - - -	2,00
		South Wales - - - -	3,50
		Yorkshire - - - -	16,00
		London, Middlesex, and Surrey - - - -	140,000
		Total - - - -	312,150

October 7, 1665. New style. Madrid. The death of the King of Spain [Philip IV.] on September 7, at 4 in the morning, I know is no news to you, but his obsequies I believe may be, they being such as you would scarce expect. Sept. 8 his body was exposed to public view in the palace in the Chamber of Audience, a room very spacious, with a gilded roof, and hung with arras. There was nothing of black in the room, nor were the windows shut, though there were candles, but only such as stood on the 7 altars, which were set up to say some of the 300,000 masses that are to be said for the soul of his. the best altar was at his bed's foot, and three on each side the room. At the upper end there was a rail went athwart, within which under the ordinary canopy was placed a bedstead of silver. The valence seemed to be of fine red silk; curtains there were none. Over the bed was spread a counterpane of cloth of gold, whereon the body lay open in a coffin of silver gilt. His face and hands were painted very fresh, and his beard very neatly turned up. He had a white beaver hat on his head, his clothes were of light dove-coloured silk, laced with silver cord. his stockings of the same colour, and a pair of new shoes on his feet. Between his hands was put the globe. At the head of the bed was his coat of arms, the only one that was in the room. On the right side of the bed stood a man in mourning, but his face uncovered, with a plain gilded crown (for I heard nobody say it was gold) in his hand; on the left stood another with the sceptre which was set from one end to the other with diamonds, and on the top one about the bigness of a pigeon's egg at the least. There was no sign of mourning in the palace but in their habits, and so every person in the town mourns that is able, so but a few are not, for from the greatest grandees to their meanest servants nothing is worn but bayes. In this state the King lay till the next night, which was Saturday, and then about ten he was carried to the



Escorial in this pomp. First there went 4 several orders of friars on mules with torches in their hands, of each order twelve. Then followed some of the King's guard in mourning, with spears in their hands at the top whereof hung a little black pendant, then came the body laid on a plain bier, carried by two mules half covered with cloth of gold, The body was also covered with cloth of gold, and tied on to the bier with two white cords to keep it from tumbling, for they went at a round rate. At the corners of the bier were four glass lanterns with large tapers burning in them, and about the corpse were carried very many torches. After the corpse followed a few noblemen on horseback, (as I was told, for they could not be known to be so, either by their habit or attendance), and then the rest of the guard. Many nobles went in their coaches, but in no order, nor as if they waited on the corpse. There was not one coach covered with black, nor one of the King's coaches went in State, nor a horse led. The two trumpeters of the guard had the King's arms on their trumpets, and these looked most like heralds of any that went by. And these in very truth are the funeral rites of the King of Spain.

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The King in his will left the Crown to the Prince, who will be proclaimed this week, and after him to the Infanta that is espoused to the Emperor, after her to the Emperor, and, upon his failing, to the Duke of Savoy. The King nor Queen of France are not mentioned, which his Ambassador here cannot forbear openly to manifest his resentment of. The Queen Mother is Regent, and though she hath six counsellors appointed her, yet is she absolute. The King's last words to the Prince were these, "*Dios ti haga mejor, y mas dichoso que yo.*" "God make thee better and more happy than I." No address or signature.

May 30, 1666. Philip Packer to his brother-in-law, John Browne. Could not get the navy list till the Thursday, too late for the carrier. Now sends it with one in print by the Banbury carrier. The report at Change yesterday was that Prince Rupert with Sir E. Spragg and Sir Thomas Allen and 30 ships are gone towards the fleet at Rochelle, but those who know how the wind hath stood to S.W. know it cannot be true for that cause. Others report that he has gone northward to take the Danish ships and so unite all together, but these are but rumours so far as I can learn. Addressed "To my very worthy good brother, John Browne, Esq., at his house at Eydon, Northamptonshire."

October 20, 1666. Hornby Castle. Lord D'Arcy and Meynill to Viscount Andover. (Printed in *Lords' Journals*, xii. 28.)

January 8, 1666[-7], Westminster. William Ryley, senior, to his son William Ryley, junior, at the Record Office in the Tower. Being unable from illness to go himself, he directs his son to bring the records desired by the Lords, being precedents of impeachments by the Commons of Peers, especially the Parliament Roll of 28 Hen. VI., the impeachment of the Duke of Suffolk. He is also to see if there is an impeachment against Lord Latymer in 50 or 51 Ed. III. Seal of arms. (Cf. *Lords' Journals*, xii. 70.)

June 20, 1667. Order made in the Queen [Mother's] Council Chamber, Denmark House, Strand. It being alleged that an arrear of rent was due for a messuage at Twickenham by John Browne, Esq. to Her Majesty, Mr. Blomley, Mr. Penny, Mr. Bound, and Mr. Hasell "having had a hand in the receipt of Her Majesty's rents within the said manor" are ordered to attend the board, so that the validity of the said allegation may be made manifest, and such course taken as may be for Her Majesty's service. Seal affixed.

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July 4, 1667. Parliament Office, Westminster. John Walker to his kinsman, John Browne. Was too late to acquaint Sir John Ayton "with your desire about venison." Have looked over the Bills and shall wait on Mr. Attorney with the titles of them. Cannot "say anything as to the likelihood of guessing what time the business of this Session may take up, but the common opinion and talk of the town is that we shall have hot work as well as hot weather. Yesterday the D. Yorke, D. Albemarle, and many others went hence toward Harwich where the Dutch have landed 3,000 men, but I find not any great apprehension of fear here thereupon. It was also yesterday very much talked of here that a general peace was on Friday last concluded between English, French, Dutch, Dane, and Swede, but I am willing yet to suspend my belief thereof, though I was told last week at Whitehall that Mr. Secretary Morrice should say we should certainly have a peace before the Parliament meets. The Earl of Bridgewater, (with whom I dined on Tuesday) said he thought we should sit long, but, if it please God to send us peace, I rather believe the contrary. His Lordship was then dispatching away letters to his Deputy Lieutenants and others to cause a meeting in Bucks for proposing the raising of money upon the credit of the eleven months' tax, on which Act between 60 and 70,000*l.* is already advanced." He then mentions that he attended the Queen Mother's Council at Somerset House last Thursday, where Mr. Bloomley, Mr. Hasell, and Mr. Bound appeared, but no Penny. It appears from his narrative of the proceedings that Penny, to whom Mr. Browne had paid his rents, had had no authority to receive them, so Mr. Browne had to pay them over again, and was left to his remedy against Penny, who could not be found. He encloses a Gazette.

November 22, 1667. Report of a conference with the House of Commons in the handwriting of Lord Ashley, afterwards Earl of Shaftesbury. (Printed in *Lords' Journals*, xii., 144.)

December 2, 1667. Report of three of the judges in the case of *Heron v. Selvin*. (Printed in *Lords' Journals*, xii. 158; cf. *Lords' Journals* xii. 124.) Attested by the signatures of Mr. Justice Wyndham, Baron Raynsford, and Mr. Justice Morton.

April 27, 1668. "Presidents concerning the manner of proceeding against persons impeached by the House of Commons for misdemeanours."

June 7, 1668. Lord Howard of Charlton and Andover to ———. I send the copy of my speech very faithfully transcribed.

May 23, 1670. Eydon. Richard Ellis to his Master [John Browne]. Gives an account of what happened about the man and horse provided by Mr. Browne at the muster of the yeomanry. Almost all the young men in the town were active about the maypole; it stands by the elm tree, carts and coaches may pass by.

May 27, 1670. Dover. Order in Council to William, Earl of Craven, Lord Lieutenant of Middlesex and the Borough of Southwark, directing him to make inquiry as to the alleged recent resorting of sectaries and disaffected persons especially such as were active in the late rebellion to the City of London and the neighbourhood, to search for them, and seize and detain them and their arms, till he sees cause to the contrary or till further order, and if necessary to employ the militia of the county and borough against all rebels and traitors.

September 22, 1670. John Walker to his honoured cousin John Browne at Eydon. Thanks him for directing him where to find the

book he wanted, of which he had in the mean time "retrieved" the duplicate. On Saturday last the Commissioners [for an Union with Scotland] met at Somerset House (among whom was Lord Ashley), where Lord Arlington presented a written message from the King, expressing his sense of the Commissioners' readiness to comply with his desires in this work, and letting them know he had had many serious thoughts about it, and out of them had collected some heads which he thought fit to offer to them as matter of debate, out of which many particulars might arise, but left them free to propose what else their Lordships should think fit, and follow what method they please. The heads were—

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1. The preserving to each kingdom their laws, civil and ecclesiastical, entire.
2. The bringing of both Parliaments into one.
3. The uniting both kingdoms into one monarchy under his Majesty, his heirs and successors inseparably.
4. The consideration of privileges, trade, and other advantages.
5. The securing the conditions of the union.

Upon which the Lords took time till to-day to consider of their methods and manner of proceeding hereupon. Mentions the death of his cousin Browne, and her burial at Marlow. On Saturday last when my Lord Keeper and Lord Arlington declared to the rest of the English Commissioners that his Majesty had appointed me to attend that service some of the Lords said merrily they had got the furniture of the House of Peers, to wit, 88 hangings and one of the clerks; upon which it was replied, they hoped they should have no more of the clerks, for there was one who could not read, upon which I said I supposed you would take care their Lordships should be troubled with him no more. My Lord Keeper told Sir John Ayton and me on Friday last, that he hoped this treaty would be ended before Parliament meets, and that therefore they intended to sit every other day, but I hear since it is doubtful at the slow rate it begins. P.S.—The Commissioners have met and debated the 3rd head first, and have agreed to the substance of it, leaving out 'and successors,' and for the wording of it, a committee of three English and three Scotch Commissioners are named to prepare it as it is to be entered in their journal and ours, and also some preliminary rules agreed on for the better method of proceedings on both parts against Saturday morning, when is to be the next general meeting. Seal of arms.

January 12, 1672[-3]. Summons by H. Farmer and Edward Bromwich, the Commissioners appointed to take evidence in *Brown v. Maunder*, to the witnesses therein named to appear before them at the Red Lion at Moreton Pinkeney on the 22nd, to be examined on interrogatories. Seal affixed.

March 1, 1672[-3]. Report of the speech of the Lord Chancellor [Earl of Shaftesbury] acquainting the House, by his Majesty's command, with what passed between the King and the House of Commons with regard to his alleged exercise of the dispensing power in ecclesiastical matters. It concludes thus, "I cannot but observe to you that this reply [of the House of Commons] hath drawne in a new point besides the matter as it were by head and shoulders, viz., a coordination of the three estates, the King being made one of them. This is a matter of soe great moment that your Lordships will not wonder that the King is startled at it. I am commanded to open to you what foundation this coordination laid for the late war; it produced the ordinances which were the cause of it. Coordination makes the two Houses equal with

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his Majesty in the legislature, whereas the sanction of laws is in the King alone, without which any bill prepared is but as wast paper."

May 29, 1673. From aboard the Rupert. Wind S. and by E. J. H. to——, (Copy). We have for some time rid in sight of the Dutch fleet who kept their Banks, and although his Highness had resolved to engage them yet was prevented by foul weather until the 28th instant. He did me the honour to give me the command of 33 men-of-war, 13 fire-ships, and 20 other small ships drawn out of the several squadrons. I began the fight about 12 o'clock, and in one hour came the Prince with the whole fleet to our succour. We forced the Dutch fleet as far before us as we could go for the sands, the fight continued till night, and then (for fear of the sands) his Highness drew off the fleet. We ride now in sight of them, where they ride now as much under the protection of their Banks as they can. We presume their damage to be so considerable that they will seek the security of their Ports, but should they have other thoughts we are ready to receive them. We lost several captains, but of your acquaintance only Tho. Fowles, who seconding me (bravely) lost his life. The vessel is just going, which denies me the opportunity of enlarging. You may expect further by the next. All our ships are safe as he wrote. Captains lost, Finch, Fowles, Worden, Trevanion, Courtney. Land Officers, Col. Hombel shot, Col. Hambleton lost his leg. The French fought well, but the captains of their fireships wanted dexterity. Van Trump was forced to change his ship three times.

August 16, 1673. Jermyn Street. Henry Heming to "my ever honoured good lord." (Copy.) I would not let slip this opportunity of giving your Lordship an account of the great affair which hath lately happened amongst us with engaging the Dutch fleet, which hath been longly (*sic*) expected this week, but nothing was heard at Court till Friday last, and then there came a letter from the Prince giving the King an account of our taking one of the Dutch East India ships, which is sent into Harwich, and upon the strict and several examinations of the persons therein he finds there are but five more in all of their whole fleet who are (he is very confident) likewise taken, for they put into St. Hellen's Island [St. Helena] for fresh water, and that island we have now lately regained from the Dutch, (if so they are sure). It's said this ship we took is worth 100,000*l*. some say much more. She sailed quite through our fleet in the night, and wanting a little more night, sailing betwixt two French ships they discovered and fired, upon which she struck sail. The news this day is the engagement of the fleets which was this. Upon Sunday last the Dutch came out with their whole fleet and that within sight of ours. They bore northward and we after them. On Monday morning they had the wind of us and came up briskly to our fleet, upon which engagement Trump [Van Tromp] and Sir E. Spragg [Sir E. Spragg] being in the rear they parted a great distance from the fleets and to work they went. Trump was forced to forsake his ship, and not long after Sprag was put to the same shift, but that would not serve the turn. Trump was forced thrice more to forsake his ship and Sprag twice, that is from the Prince (in which ship he was), having all his masts shot down to the decks, to the George, and from her to the Bristol, and she being likewise disabled, he got into her long boat but by an unfortunate shot the boat was overset, and poor Sprag (as the King expressed it) was cast away. Some think he was shot in the back but dead he is to our great loss, and is much lamented here. Now Du Ruyter finding it very hot with the Prince tacked to Trump's squadron. The Prince tacked with him on one side and the French on

the other, who had then the wind of the Dutch, so they fought all the way. The losses cannot yet be known, only we have this certainty that we have lost no ship, and only Captain Neanes killed outright and Captain Heaward his left arm or shoulder shot off, and the Dutch have had in our sight three ships fired and two sunk, one by the Rear Admiral of the French, the other by Sir John Kempthorne. Towards night the Dutch got off as fast as possibly might be, (and if I forget not), homewards. The next morning nothing to be seen of them and the Prince cast anchor. It is otherwise reported that the Dutch went off northwards again and we after them, but I rather believe the first. It is likewise reported at Court that Lord Ossory had his deck cleared, and only himself and his page and Captain Herbert escaped. The Royal Sovereign had not 20 men killed nor wounded in her, the Dutch being very fearful of her.

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January 25, 1673[-4]. London. Copy of a paper from the French Ambassador, the Marquis de Ruigny, remonstrating against the King's making a separate peace with the Dutch, inasmuch France had faithfully performed all the stipulations of the treaty of February 12, 1672.

1675. Petition of John Taylor, a prisoner in Bethlehem, to the King for his release. It begins with 14 lines of verse, the first letters of which form the words Charles Stuart. (Cf. *Lords' Journals*, xii., 691, 701, xiii., 26.)

November, 1675. Copy of the narrative of M. de Luzancy of the manner in which a recantation of the Protestant religion was extorted from him by M. St. Germain and another Jesuit. Subjoined is a threatening letter sent to him on November 2nd. (Cf. Kennet's *History* iii., 307, *Commons' Journals*, ix., 369, 375.)

November, 1675. Copy of a bill brought in by the Duke of Buckingham for the ease and security of Protestant Dissenters (cf., Kennet, iii., 308). The chief provisions are that after January 24, 1675-6, two or more Justices of the Peace are empowered to license places of worship for Protestant Dissenters, and that any persons after that date on appearing before any justice and entering their names, and the sect or congregation to which they belong, and making a declaration shall have free liberty and exercise their religious worship in any place so licensed. Among the subsidiary provisions Dissenters are relieved from being Churchwardens, and no such meeting-houses are allowed within either of the Universities or their precincts.

April 3, 1677. The Reasons of the Lords for rejecting a proviso added by the Commons to the Bill for naturalizing the children of English subjects born in foreign countries during the late troubles. (Cf. *Lords' Journals*, xiii., 97, and *Commons' Journals*, ix. 416.)

February, [1677-8]. Reprimand of the Earl of Salisbury for maintaining that the long prorogation of Parliament had operated as a dissolution thereof, with the Earl's submission. (Cf. Kennet, iii. 309.) These documents were originally entered in the *Lords' Journals*, but were vacated by order of November 13, 1680, which is printed in *Lords' Journals*, xiii. 664.

[1678.] Case of the Earl of Cassilis. The Marquis of Athol and other lords had been empowered by the Privy Council by a Commission dated December 26, [1677] to raise the Highlanders within their bounds, and also all their vassals, and march to Stirling, and thence to wherever the Council should command, and to live at free quarters on

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the march, which the Earl submits was contrary to the fifth Act of his Majesty's first Parliament. The Earl of Strathmore and others having been warranted to convoke the militia of the shire of Angus and to march with them upon free quarters into the West Country, this accordingly was done, though the militia should be furnished with 40 days' provision out of the shire in which they are raised. The Earl of Cassilis in obedience to a summons attended the Committee of Council at Glasgow on January 26th, and by an order of the 29th, was, as bailiff principal of Carrick, ordered to get in the arms of all sorts in the Baylery, as muskets, pistols, swords, pikes, and halberds, Lochaber axes, dirks, and whingers—such as refused were to be quartered on—and an account of them to be given in at Ayr on February 7th, which was done accordingly. By an order of February 7th of the Lords of the Committee of Ayr the Earl was ordered to rase to the ground or burn all meeting-houses in the Baylery of Carrick, and to make an exact enquiry of the builders of them, and the actors or abettors thereof, and on whose ground they had been built. All this he did accordingly, though the Lords would not allow him any of the standing forces, nor the gentlemen, his friends, to go armed to assist him. He was then by a new warrant to bring back the timbers of the demolished meeting-houses to the places where they had stood, and to burn them there, which he accordingly did. The Lords of the Committee by letters of February 9th from Ayr, ordered the Earl to publish at the market-cross of Mayboll and at all the parish church doors in his baylery on the next Sabbath day, their proclamation requiring all heritors, liferenters, and others of the baylery to appear before them at Ayr on the 22nd, to subscribe such bonds as the committee should appoint, and it was published accordingly. Notwithstanding the Earl's ready obedience, on the 10th 1,500 men were sent upon free quarters into the jurisdiction of Carrick, most of whom were quartered on his estate, "whereby not onely free quarter but dry quarter, plunder, and other exactions, many insolencies and cruelties have bene committed two tedious and lamentable to report," of all which he gave an account by a letter to his Grace the Duke of Monmouth. On February 22nd the Earl in obedience to the proclamation appeared at Ayr, but refused to subscribe the bond tendered to him requiring that his whole family, tenants and cottagers, with their families should abstain from conventicles and should not recet (*sic*) supply or commune with forfeited persons, intercommuned ministers, or vagrant preachers, but should endeavour to apprehend them, as the bond was founded on the law, and was impossible for him to perform, and such practice was contrary to the laws and customs of all other nations. A libel was then given against him at the instance of his Majesty's Advocate, charging him to appear on the 23rd before the lords of the Committee under pain of rebellion for being present at conventicles, and other crimes of a very high nature, and to give his oath on the verity of the libel. He accordingly appeared and deposed negatively, only if there had been any conventicles on his ground, or if his tenants had been at them he knew no further thereof than by hearsay, swearing that he never saw such conventicles or any of his tenants at them. A proclamation was issued at the same time commanding all who would not subscribe the bond to sell all their horses which were worth more than 4*l*. before March 1st under pain of forfeiting not only the horse but 100*l*. Scotch. Notwithstanding the Earl had cleared himself on oath, the lords appointed a messenger to charge him with letters of lawborrows to enact himself in the books of the Privy Council and that he, his wife, children, tenants, and

servants should not go to the conventicles and other disorderly meetings &c. under penalty of double his yearly value rents, and in case of fail he was to be denounced rebel within six days. He asked a week's delay, which was refused, and he then went to Edinburgh to attend the Privy Council and offer them possible satisfaction according to law, but on his coming a proclamation was issued commanding all from the West Country to depart from Edinburgh within three days to their own houses, before which time he was actually denounced rebel at the market-cross of Ayr, and letters of caption issued to apprehend him. In this strait, not knowing how to find a remedy in Scotland, and being assured that many of these proceedings were illegal and not warranted by the statutes and customs of Scotland, he thought it his duty to repair to his sacred Majesty as the fountain of justice, to whose sentence he is content to submit his life and fortune; and therefore prays him to consider his case and examine how far these proceedings are warranted by the laws and customs of Scotland.

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May 3, 1678. Copy of a paper, in French, delivered by the King's Commissioners to the Ambassador and Envoyé (sic) of the States General, and a translation of the same.

May 4, 1678. Original answer in French of the Dutch Ambassadors to the last paper, and a translation of the same. These were communicated to the House of Lords on May 7th. (Cf. *Lords' Journals*, xiii., 214.)

April 21, 1685. St. James'. Copy of a letter from the Earl of Peterborough, Lord Lieutenant of Northamptonshire, to the Sheriff, forbidding him raise the militia at the time of election, so as to interfere with the freedom of election.

March 1, 1688[-9.] Draft of the address to the King desiring he will use means for the security of the Government. (Printed in *Lords' Journals*, xiv., 135). Where the address has "you have just ground to suspect divers persons of treasonable practices" in the draft "the Lord Arran and" was inserted before "divers."

March 8, 1688[-9.] Original address of the City of London to the House of Lords. (Printed in *Lords' Journals*, xiv., 146.)

April 20, 1689. Original message from the King with the Sign manual. (Printed in *Lords' Journals*, xiv. 183.)

May 2, 1689. George Bridges, a justice of the peace for the county of Southampton, to all constables and other officers thereof. Mary Collins, late of Dublin, has this day testified before him that she was lately in the company of 67 Irishmen and 6 Irishwomen who pretend themselves to be distressed Protestants forced out of Ireland, but that they are now dispersed into several companies. She declared upon her oath that their object in coming to England was to set towns and houses on fire, that they have set fire to several houses in a town near Sherborne, that they intended to set fire to the City of Winchester, and that on the 1st of this May they set the town of New Alresford on fire, so that the whole of it has been consumed. The names and descriptions of five of these men are appended. All the company are well armed, and their women carry their fire-balls. The hue and cry is to be raised after them. (Copy.)

May 14, 1689. Copy of an order to the keeper of Newgate to bring Sir Robert Wright before the House at 10 a.m. the following day, and of another ordering Sir Richard Holloway and Mr. Justice Powell to attend at the same time. (Cf. *Lords' Journals*, xiv. 211.)

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May 25, 1689. Draft of the reasons to be offered to the House of Commons at a conference on the additional Poll Bill. (Printed in *Lords Journals*, xiv., 221. Some alterations in the original draft are in the handwriting of Bishop Burnet.)

June 1, 1689. Certificate under the hand of John Allen, messenger, of his delivery of a letter from the Lord Halifax to the Earl of Yarmouth.

June 8, 1689. Examination of John Allen concerning Edward Lord Griffin. (Printed in *Lords Journals*, xiv. 238.)

March 16, 1690[-1]. John Walker to John Browne, Esq., at Mrs. Mary Walker's at Colham Green, near Hillingdon. Saw Dr. Maplet yesterday, who had seen at the Secretary's Office the day before letters from the Bishop of London, stating that he with the Court Lords will be suddenly at home, and that the King is gone to the relief of Mons, which is besieged and stormed by the French, and it is thought by most will before this time be absolutely in the French hands, there being but 7,000 men in it, and the French 27,000 men and foot, and the King of France with all his court before it, with all his guards and best soldiers and officers. If Mons be taken the French king will presently overrun Flanders and so hinder the confederates from doing anything to save even themselves. Has taken the relation of the Queen's express out of the News-letter, the truth he knows not.

July 5, O.S. [1708. Oudenarde]. Col. A. Oughton to Sir Thomas Cave. We passed the Scheldt on the last of June, in the face of the enemy's army, which we immediately attacked. We killed 3,000 of them upon the spot, took 8,000 prisoners and about 800 officers, besides nearly 120 colours and standards. We yesterday passed their lines, and we are now actually encamped within them, between Lille and Ypres, the former of which places we are preparing to besiege as soon as our heavy cannon can be brought up. In the meanwhile many people are employed in demolishing their lines, which are exceedingly strong. The young Prince of Hanover, who is here this year as a volunteer, charged at the head of a squadron of dragoons. He was slightly wounded in the belly, and his horse mortally in the neck. Our battalion was very sharply engaged. Two of my brother officers were killed, and two wounded.

March 3, 1710. Sir Thomas Cave to Col. Oughton. As you wish for information about the mob in Lincoln's Inn Fields, I can only give you such as I received from my friends in London. The gutting of Burges's meeting-house is worthy of observation for the body of transgressors was a compound of dissenters headed by an Anabaptist. The other most memorable actions of the mob were in Watling Street, whence intelligence was brought to the Lieutenant Colonel of the Militia, who was at supper in the City with a friend of mine. A detachment was then ordered to compose the tumult raised at the edges of a score of old women, with the juvenile chorus of "God bless the Q[ueen] and S[acheverell]." At the other end of the town the young ladies of the Exchange gave twelve pence a piece to dress up a figure of Dr. B. with a gown and a band, and burned it in a tub resembling a pulpit. It is said that there were great rejoicings and illuminations after Dr. Sacheverell's trial.

The form of consecrating the New Chapel of University College Oxford.

A number of Navy Lists of different dates between 1669 and 1688.



1659. "The summer fleet," giving the names of the ships, their burden, number of crew, number of guns, and captains' names. LORD BEAUTE'S  
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[1660]. A list of his Majesty's ships whose names have been changed since his Majesty's happy return to England," and a list of the Red, White, and Blue Squadrons.

1664. "The number and nature of guns proportioned in time of war by the officers of his Majesty's Ordinance." A list of the number carried by each ship, distinguished as Cannon, Demi-Cannon, Culverins, Demi-Culverins, Sakers, Demi-Calverin Cutts, 24 Pounders, 12 Pounders, 3 Pounders, Saker Cutts, Falcons, and Minions.

1665. [Before June]. A list of the English ships divided into Squadrons,—Red Squadron, the Duke of York,—White, Prince Rupert,—Blue, Earl of Sandwich.

[May 1665.] "List of the Dutch Fleet out of the Maes."

[Before September 1665.] A list of the Royal Navy, showing the names of each ship, her burden, her crew in war and peace respectively, the number of guns, the length of keel, the breadth, the depth in the hold, the draught of water, and the date of building, the dockyard where built, and the name of the builder.

[After September 1665.] "A list of his Majesty's ships in harbour and at sea."

[1666.] A list of the Red, White, and Blue Squadrons.

May 1, 1666. "A list of his Majesty's Fleet under the command of his Highness Prince Rupert and his Grace the Duke of Albemarle."

Lists of the French and Dutch fleets follow.

April 1, 1680. "The present disposal of all his Majesty's ships in sea-pay."

1688. "A list of his Majesty's fleet under the command of the Rt. Hon. the Earl of Dartmouth."

[1685?] An army list, probably of the army sent against the Duke of Monmouth, showing a total strength of 16,640 men.

Two plans of Culworth Church, one showing the existing arrangement and allotment of the pews, and the other the alterations proposed.

A folio volume, bound in white, containing—

(1.) A treatise on judicature in Parliament.

(2.) "Observations, rules, and orders collected out of divers journals of the House of Commons."

A folio volume, bound in white, containing extracts from the journals of both Houses of Parliament, fairly copied by John Browne (pp. 1-352).

A folio volume, bound in brown, containing extracts from the Rolls of Parliament and other documents, concerning the privileges of the Lords of Parliament (ff. 4-112).

A folio volume, bound in white, containing extracts from the Rolls of Parliament, and other documents concerning the privileges of the Lords of Parliament (ff. 1-192), and "A discourse of the privilege and practice of the High Courte of Parliamente in Englande, collected out of the common lawes of the lande," by — Starkey (ff. 193-234).

A small 4to volume, newly bound in red, and lettered "Collections for a History of Grantham, F. Peck." It consists chiefly of extracts from the municipal records.

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A similar volume, lettered "Collections for a History of Lincolnshire F. Peck."

A similar volume, lettered "Collections for a History of Leicester. F. Peck."

A similar volume, lettered "Topographical Collections. F. Peck."

A folio volume, bound in white, and marked "C. 19." It contains extracts from Inquisitiones post mortem and other public records from the reign of Henry III. to that of Richard III., relating to the county of Leicester.

A bundle of transcripts from the churchwardens' accounts of Southwold and Romford, A.D. 1495, and of an inventory of the goods of the church of Southwold, A.D. 1520, &c.

A packet of miscellaneous poems and ballads, mostly written in the early part of the 18th century. The following relate more or less to politics:—

"The golden age reversed." (A satire on the Whigs. A.D. 1700–1712.)

"The Merchant à la mode." (On the Duke D'Aumont. A.D. 1712–1713.)

"The parson of Walton-le-Dale." (A.D. 1714–1715.)

"Pasquin to the Queen's statue at St. Paul's, during the procession, January 20, 1714[–5]." (A scurrilous Jacobite effusion.)

"A ballad on the French King's marriage with Mme. Maintenon. 1708."

Ballad on Sir Thomas Abney's appearing at the funeral of Queen Anne in the garb of a member of the choir.

"Royal Mercy," by Edward Griffin. 1708.

"The British Ambassadors' Speech to the French King." (A.D. 1711–1713.)

Verses "upon the death of the Rev. Mr. Modd, Vice-Master of Trinity College, Cambridge. 1722."

"Semper eadem." (A parody on the 3rd ode of the 3rd Book of Horace, inscribed to William Bromley, Speaker of the House of Commons. A.D. 1710–1713.)

"A ballad on the Oxfordshire election."

"The May-pole in the Strand to the May-pole at Farnham." March, 1715–6.

"Oratio in comitiis prioribus Cantab. habita." (Endorsed "Terræ filius's speech at Cambridge." It contains allusions to William Whiston, Sir John Ellis, Dr. Henry James, of Queen's College, and others.)

A packet of transcripts in the handwriting of Francis Peck, whose authority for them, it appears by marginal notes, was a volume described by him as "MS. Mordaunt."

1658, May 16. Brussels.—The King to John Mordaunt. "I am willing to beleieve those who assure me, that you are very willing to do me service, and that you do thinke that the onely way to redeeme your countrey from the misery and slavery it groanes under, is, by the blessing of God, to restore that which belongs to me, the detayning wherof must continue that misery, and subject the people to a continual succession of afflictions. I hope all good men will be of this opinion with you. And if you shall imploy all your interest (which I know is considerable) to the advancing of mine, I doubt not but God

will blesse you in it. And, I do give you my word, I shall acknowledge it with all the real kindness you can expect, and will alwayes be, Your affectionate friend Charles R."

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1658. December 27. Brussels.—The King to John Mordaunt. "Yours of the 25th of the last month came not to me before the last night, and I make all the haste I can to let you know, that, if you have not heard from me or anybody about me, it hath only proceeded from our Care of you, and not to expose you to any hazarde. And yet care was taken by 247 (whom you trust) you should know how just and kinde I am to you, how tender I am of your safety and confident of your affection. And, if that letter to him miscarried (as I hope it hath not) it hath been no fault here.

258 tells me you have somewhat of great moment to impart to me, which I long very much to receive. And I assure you whatsoever it is, it shall only be to myself. In the mean time I am rather ready to receave advice from my friends who are upon the place, than [to] direct them what to doe. And therefore I am the more impatient to heare very particularly from you, and you may be most confident that you shall ever find me to be constantly Yours Charles R."

1658-9, March 11. Brussels.—The King to John Mordaunt and five others. "Charles, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. to our right trusty and well-beloved John Mordaunt, 193, 161, 155, 152, 172, and to every of them, greeting.

We do, by these presents constitute and appoint your our Commissioners, giving you, or any one or more of you, power to treat with any our subjects of our Kingdom of England and Dominion of Wales that are, or have been, in Armes against us, or our father of blessed memory, or that have contributed to the present Rebellion in England; (excepting only such as actually sate in judgment for the taking away the life of our said father, or pleaded as counsell learned against his life, or attended as ministers in that odious pretended Court, or laid hands upon his person in the execution of that horrid murder) and to assure them in Our Name, that, if they shall forsake the present Rebellion, and joine heartily and effectually for the suppressing of the same, and for our restoration to the rights due to us by the laws of God and of that our Kingdome; that then we will not onely freely pardon their former opposing us and our said dear father, and all other their crimes and offences, in acting, adhering to, or complying with the said Rebellion, but that we will recompence and reward such of them, as shall, by any remarkable service merit of Us, either by reducing or rendering any towne, fort, or garison of the rebels into our Hands or into the Possession and Power of you or of any other trusted or employed by Us or you for our service. And what you, or any one or more of you, shall, by virtue of this our Commission, in wrting under your Hands or the Hands of any one or more of you, promise in Our name in this kinde, we shall ratifie, confirm, and performe.

Given at our Court at Bruxells this eleventh day of March 1658, in the eleventh year of our reigne."

1658-9, March 11.—The King to John Mordaunt and five others. (Printed in *Clarendon State Papers*, III. 437.)

1658-9, March 11.—The King to John Mordaunt and five others. "Since it is impossible for me to cause any service to be performed in that Order which I desire, and to grant such legal forms as were to be

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wished, I doe depend upon your affections that, knowing my intentions, you will with all freedom towards one another, consult together of Ways, which to your judgments may be necessary to advance and carry on my service.

And since, by the blessing of God, I doe intend to be myself with you as soon as the business is begun (or sooner if you shall advise) and so to mend anything that is defective; I hope none of my friends will take it ill that they are not named by mee, since I only mention those few with whom I have had most correspondence, who, I know, wilbe ready to take the counsell, help, and assistance of all others who will joyn with them. And I well know many who (out of the apprehension that they have of their enemies, wilbe wary how they engage before they see some probability of success) will afterwards venture as freely as the rest; and to whose affection I shall think myself as much beholden. I would have 588, 606, 859, 498, and those who have always consulted together, and such whose advice they have usually taken, or as many of these as can opportunely meet together, look over and peruse the blank Commissions now sent by me, and then insert such names of themselves, or of others, (who to their knowledge, are willing and able to serve me in that condition) in that Commission which contains the main and great Trust, and who are to fill the blanks in the other Commissions for Countyes and Governments, presuming they will distribute themselves into several places in that manner as may both advance the work without any emulation or particular contention upon commands; since they may assure themselves and those that resort to them, and with whom they must have to do, that I shall think myself as much beholding to those who obey with cheerfulness as to any who command with success. Which I doe not say as necessary to those Persons to whom I commend the conduct of my business (whose, I know, are superior to those thoughts) but in regard of the several humours they meet with in those who are full of zeal and affection to my service."

1658, March 11.—The Marquis of Ormonde to John Mordaunt: "When you have received all that this bearer brings you; it will evidently appear there remained little for me to say. I shall only assure you, that your warmth and industry doe appear so clearly to my Master, that there remains nothing for me to doe in your service towards him; and whatsoever markes you receive of his kindness are the effects of your merit and his justice. All I shall recommend to you is a care of yourself, and that you will believe the bearer when he shall tell you that I am your most affectionate Kinsman etc."

1658-9, March 12. Brussels. — The King to John Mordaunt: (Printed in *Clarendon State Papers*, III. 436.)

1658-9, March 12. Brussels.—The King to Mrs. Elizabeth Mordaunt. "I have information enough how much I am beholding to you, which considering all, shewes more courage in you than I could expect. I am persuaded I shall live to thank you when you shall need be less afraid to receive it. In the meantime I send you the inclosed to borrow upon the person you think fittest to oblige, as an earnest of my kindness to you both, which shall be always constant to you upon the word of Your very affectionate frinde Charles R."

Blank Warrant enclosed, conferring the dignity of a Viscount.

1659, March.—John Mordaunt to the King. (Printed in *Clarendon State Papers*, III. 443.)

1659, April 10.—John Mordaunt to the King. "1. Secure and safe counsellis find most adherents; and it is much easier to create scruples and doubts than to satisfie them. In my opinion nothing at this time can prevent your establishment, but divisions amongst ourselves and difference in judgments. These misfortunes begin now to appear when union is most necessary. Yet I cannot but believe the Wary Gentlemen would as willingly have you restored as wee; but they are loth to venture much to contribute to it. If notions or discourses would reinthrone you, your Majestie might be sure of your kingdoms their way. But I referr it to your Majestie, whether in all your reading you have found any kingdom lost or recovered by silogismes. Scarce any thing under a demonstration will satisfie them: And they would leave all to tyme. I finde myself obliged in duty to represent to you the prejudices may happen by delay. And, to do them right, I will also lay down the advantages they seem to expect by it. By this ingenuous proceeding your Majestie will best judge which advice ought to be encouraged.

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2. The first prejudice is, the Armys Union; towards which they have made this great progress. Two hundred Commissioned Officers they have thrown out, and filled their places with Sectaries, and such as they most confide in. Secondly, the Tower is in Colonel Fich his hands; a creature of Haselrig's. Thirdly, the Anabaptists are formed and armed every where. Which (if not certain, but surmised) it must be granted they may be, in few days; the Tower being in secure hands. Fourthly, several Captains of Horse we depended of (and some of these having it in their power to deliver considerable places to us) are in danger of loosing their charges, and wee the places; especially Lynn and Shrewsbury. Fifthly, it is an high discouragement to those who have been preparing and [are] prepared, to be consumed by the excessive expence of men and horses they must maintain; and [add] to it, [be] still subject to discovery. And wee are infinitely happy it hath not yet befallen us. Sixthly, the reputation this Government gains abroad, by not being opposed. Seventhly, the diminution of the authority of those you honor to trust; when, by the delays [which] particular persons give to actions, others, who are commanded, see the power alighted, and begin to question whom they are to obey, those [who] have your warrant and command for directing them, or those whose wariness and caution makes them to believe their care great and our orders rash? Lastly and chiefly, your Majesties uncertain condition, having no assurance either of Lockart, Monck, Montague, or —

3. The chief advantages they expect by delay are these. [First], The breach of the House. The hopes they found this upon is a speech of Sir H[enry] V[ane], which disrelished much yesterday. Secondly, gaine of time to put themselves in a posture for action; which it appears yet they are not in. Thirdly, expectation of good effects from petitions which are sett on foot by the Grand Jurys. Fourthly, forsaigne assistance. Fifthly and lastly, hopes of farther confusion yet.

4. To the first. If the Army be modul'd, as they wish it; they will not care to break the House. And, by the dissolving [of] the last Parliament (which had a face of legality) your Majestie finds you had little advantage. [And] this Parliament, being so odious and inconsiderable for number, tho', broke, wee shall have lesse; and the Government will fall, as they design it, into the hands of a few; who will act more in a day to our prejudice than those mingled Councells of a Parliament and a Councell of State can possibly in a week (especially

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as they are constituted) your Majestie having in both of them several who think they can be only safe from you and under your Government. This knowledge makes mee desire the present Councells may continue and not be broke: since secrecy (which is the soul of all great undertakings) cannot be kept amongst men of such different opinions. And when personal piques and animosities are so high, I make bold to presume I have reason on my side, when I assert, [that] confusion is likelier to happen these Councells standing, than if the Parliament were broke and Councell of State winnowed, and nothing but Sir H[enry] V[ane]'s pure flour left to rule.

5. To the Second: 'Tis sad these gentlemen are not yet provided having [had] for these four moneths, such allarms for action, both from their enemies and friends. Truly, by this it seems, they could not have contributed much for your Service had R[ichard] C[romwell] put in blood; which hee had certainly done, but that he was both coward and foole. Itt is great pittie wee must stand still till they overtake us; by which negligence of theirs wee may be either disabled or discerned, before they will think they are ready enough.

6. To the third: I pray God the petitions may succeed; but 'tis a great question, if the Grand Juries do present them; and almost a certainty, the House will not receive them. Besides, this will take up much time.

7. Fourthly, for the forraigne assistance. 'Tis a sad cure for an ill disease, when more nobly wee may do it ourselves. And, I fear, by your Majestie's letter and Lord Chancellors no certain one.

8. The [fifth and] last truly may happen but 'tis but may: a contingent which I would not advise my Prince to venture his Crowns on, when he has a fair game.

9. These considerations I most dutifully and most humbly present your Majestie. And, with them, dare not venture to make it my desire, that, according to the joint sense of those worthy persons (whose names were to the last letter) you should, as yett, expose your person to this journey, till some way be found to unite opinions; which I find very differing, and truly with some willfulness rather than reason. But I shall not recriminate; since I am a party concerned. Yet, I protest to God and your Majestie, I would most willingly have obeyed orders from any you had trusted, with a cheerful resignation, tho' against my sense. And I may say, [that] those [who] are received now into the Trust are every way superior in quality, fortune, number, and truly (in my poore Apprehension) not inferior in parts to those [who] refused the Trust now, yet will not willingly obey others. All yett stands very fair. But these divisions occasion sending this express, least when your Maiestie should be here, you may find them still unready for what they ought to undertake. I have instructed this person how to find a way to kiss your Majesties hands, tho' you should be removed. God of his infinite mercy preserve your Majestie."

1659, April 15.—to John Mordaunt. "1. I received yours of the sixteenth of the last month, but on Tuesday last. And tho' he tells mee you have writt others to mee, of later dates, as yet I have not received any of them. 120 (to whom I give this) is so fully instructed of all things in these parts, that it is not necessary to me to say any thing else to you but that I was sorry not to have been 582. 147. when you and 95. 365. were there. Which is all I shall say, but that you shall always find mee.—The Same."

1659, April 21.—Mr. [Richard] Nicholls to John Mordaunt. "1. The few occasions I have in Paris may easily be dispensed with when

my Master sends mee word that his Journey is differ'd; upon which I do yet attend. LORD BRAY'S  
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2. I expect within four or five days some news of Mr. Montague, but as yet none is come. For the Court is upon their march to the pleasant battell which will be fought the tenth of May (*i.e.*, the King's marriage).

3. The expectations of the Palace Royal increase every week. I only doubt in poynt of time; and so suffer in opinion.

4. I have heard some ill offices have been done you to your best friend; but they made no impression. I suspect from what pen such stories flowe. For it is a trade some people drive because they write well.

5. I am confident all my friends have more justice in their nature and actions; neither will I robbe them of that merit, to attribute any thing to my endeavors; which however shall be to serve you.

6. Present me very faithfully and kindly to those of our tribe and society, whether males or females. Direct yours to Mr. Boothe, as formerly."

1659, Easter Monday.—Sir John Greenvil to John Mordaunt. "My Lord, just now I received the inclosed from my friend, which will inform you fully concerning Lambert. Pray keep the Letter for mee 'till I shall waite on you in the afternoon.

2. I am going to Sir James, and will observe all your Commands, serve you upon all occasions to the utmost of my power; whereof and you may rest most confidently assured."

1659, May 3.—Sir Edward Hyde, Lord Chancellor, to John Mordaunt. "1. Since my last to you of the eleventh of this moneth (which I hope came safely to your hands) yours to the King and my Lord Ormond of the twenty fourth of the last moneth arrived; and since your other of the 31, to the King and myself. I shall not enlarge upon many of the particulars, having said as much as I could in my former, with a prospect forward, even to those ill actions which have fallen out; which wee too well knew would always make a deep impression upon the spirits of many of our good friends.

2. Before I say any thing of the publique, I must desire you not to withdraw your kindness or good opinion from Sir James Hamilton, who hath frequently received so many instances of my kindness towards him, that I am confident he had no ill intentions in any of those expressions which some passion transported him to use, and of which no notice should have been taken by my consent.

3. His Majestie doth not well understand what is meant by his closing with the moderate Party upon tearmes which may be thought too rigid; there not appearing the least application to him from any such Party. If there did, I doubt not but his Maiestie would give so gracious an answer, that they would receive satisfaction. And, in such a case (how gracious soever his Maiesty may be to any particular person who hath served him faithfully) I do not think any honest man will suffer himself to become the obstruction to such an agreement; but would choose rather, tho' against the King's will, to run to the Indies, and impose a perpetual banishment upon himself.

4. Now to your last letters, which express indeed a very great change as well in the success of [Richard] Cromwell, as in the dejection of our friends; who I know are usually cast down upon

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such accidents. And, the truth is, I should not be surprised, if Cromwell pursue his good fortune so far as quickly to get himself proclaimed and declared King. And then he will himself put an end to the votes of those persons who serve him in the other House; and so they shall only vote during this Session. It is not possible for the King to give orders, or indeed advice, from hence, what is to be done. But he is exceedingly troubled that, in such a conjuncture, there should want that mutual trust and confidence towards each other in those he hath referred his business to, that they should not take a view together of those advantages which might be made use of. And if, upon such a consultation, it appeared to them that nothing were to be attempted, it would beget a calme and an acquiescence which would secure all. And this was the fruit the King expected, and still hopes [for] from the commissions and instructions he sent by Mr. [Hartgill] Baron: nor have we received any such account of the contrary reasons you mention.

5. Give me leave, Sir, to tell you, if wee doe not use all freedom (as well concerning persons as things) we shall never apply proper remedies to any thing that is amisse. And therefore I beseech you deale freely with us in the mention of those whom you finde most reserved and wary of engaging themselves, as well as those whom you finde forward and active. And I will begin this freedom to you, by telling you all I know or think of persons there; since I cannot but conclude we should not deal well with you, if we do not give you all the light we have upon our observation and experience.

6. I do exceedingly wonder that any should think the instructions you have received needless, because themselves were impowred before. Which obliges me to tell you, for your own information, what you will reserve only to yourself. It is very true that most of the persons named, and desired by you to bee together instructed with you, are those who have been formerly intrusted by the King, to the same general purposes; but without such particular qualifications and directions as you have now received. And truly I do not, in the least degree, doubt their affection to his Maiesties service. But I must tell you (as ours) their friends have always complained of their want of freedom and communication with them, so, from the time of my Lord Ormonds return from thence, they have not sent the least advice or direction hither what they would have the King to doe. But, on the contrary, have expressed a desire not to be called upon by our letters, professing that they would watch all occasions to serve the King, and would then give him advertizement of all things necessary. Only (as I formerly advertized you) the King did write to the Lord Bellasis concerning his nephew, and received a short answer from him, that matters were not yet ripe for that business. And this, upon the matter, is all the correspondence we have had with any of them above this twelvemonth. And I doubt they have not had correspondence enough each with the other in the projection or design of what may be done; if they have, it is more than we know. However it is strange that they should believe the commissions and instructions lately sent to be impotent, since they contain new matter to what they were possessed before. If I knew with which of them you have spoken, I could give you better information.

7. I advised Mr. [Hartgill] Baron, to bring you and Sir William Compton together first; who could have brought the other best to you. And I wish that you speak with Sir Richard Willis, if you have not done it already. I have writt to him by another way, which I hope



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will come to his hands. Sir William Compton and Sir Richard Willis can best tell you what hope there is of the Republican Party. I confesse to you, I have seen little of sincerity from them. I believe my Lord Bellasis and Colonel John Russel are very shy, having been often in prison; tho' I make no doubt they will heartily engage when they think the business is ripe. I believe it is the joynt opinion of all of them (and I doubt, with too much reason) that, without a division of the Army, it is in vain for our friends to stirre; so farre they are from a confidence of the strength of our own Party. And I am sure the King endeavours, by all the wayes and means he can, to increase it, and thinks all men of his Party who are willing to be so. If these gentlemen knew all you can inform them of, and Sir William Waller and Lord Manchester, would conferre with any of them, I suppose it would raise their spirits. However, I hope it will be no hard matter to consult freely together, and thereupon to take a resolution as is fit.

8. I confesse I know not what to think of Colonel Brown, who seemes to have great obligations to the Court, contrary to what I conceived in your former letter. I long to hear that you have spoken with Massy or Titus, and that Sir William Waller hath done so too.

9. Wee heare that our friends are much troubled at the multitude of persons who come from these parts and pretend to be employed by the King. And we are not without a just sense of the mischief that might befall us upon any pretences of the discovery of plots. But we know not what remedy to apply to this inconvenience. For I do assure you (tho' it be no easie thing, in the condition we are, to restrain people who want bread, to seek it, when wee cannot help them to it, where they pretend they are sure to find it, yet) wee doe every day hinder those who would goe over. Nor hath the King knowne of the going over of any more than Massy and Titus, Mr. Baron (and one whom he desired to have with him), Mr. Hopton and [Nicholas] Armorer, every one of which I believe may be of use to that communication which our friends ought to have with each other.

10. I intended to have sent this to you by the last post; and then probably it would have been with you before this time. But having received none from our friends by the usual way, wee doubted there was some obstruction, and so resolved to keep this by us till another opportunity; to which I was the rather induced by an acknowledgment I had from Mr. [William] Rumball, that N[icholas] Armorer was arrived, and that you had received the dispatches I sent by him and am now to acknowledge (which I received by the last post from France) besides the duplicates of these above from Mr. Hart[gill] Baron.

11. Yours of the sixth to the King, and our English letters of this week persuade us, that your hopes there are not at all impaired. And wee are very well pleased that the Presbyterians and Republicans watch one another so warily. And no doubt the wiser men of either Party cannot be without apprehensions, that whilst they stand upon rigid terms, the other may gallop so fast towards the King's interest, that they may become less considerable. Whither they shall go together by the ears with each other; or (by the dissolution of the Parliament) that Party shall prevail most which hath greatest interest in the Army; or whither the Army shall take the Government upon itself, without considering Richard Cromwell or the Parliament; in all these cases, nothing is more necessary, either to the King's service or your own securities, than a free communication; which I hope the good changes

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which have happened since your last, and the Diligence and Dexterity of Mr. W[illiam] Rumball (who I suppose hath signified the King's pleasure to them, if our letters to some of themselves have miscarried) hath in a good degree already accomplished.

12. Wee are so tender of exposing you (upon whose safety and liberty so much depends) that we never have, nor ever shall advise any person to you (how honest soever in our Judgments) without your approbation. And therefore it is entirely left to your own choice when you will think fitt to speak with Massey. Yet I cannot but tell you, that I conceive there may be many conveniences in your speaking freely with him; who, besides an integrity you may depend upon, is a brisk man in any attempt, and is not satisfied with the general inclination of the Presbyterians, nor with the wariness even of those who wish best; insomuch as hee hath not been without some thoughts of returning hither out of pure indignation at the coldness of those from whom he found we expected most. He is much troubled at the temper of Brown, in whom he thought his own interest and Times his to be unquestionable; and he hath absolutely refused to speak with either of them. Nor I do I find that Massey hath yet spoken with Sir William Waller. I am persuaded that if you and Massey speak together, you would give each other much useful information; and he would tell you what hath passed between Mr. Alexander Popple and him; and you would understand how the business of Bristol and Gloucester stands; and would, thereupon, easily conclude, what attempts are to be made or depended upon in either of the cases I put before; and to be sure of introducing a good strength of our own Party in any other [place] that pretends to wish us well. And you would do well to bring Mr. How and Massey acquainted; which would be of much Avail.

13. I should be glad to hear from you, that, in either of the cases I have putt, or any other that is like to fall out, Sir Horatio Townshend would be able to make any notable appearance in Norfolk, which you know lies best for our landing. And it may be, upon late offers which every hour he is like to receive, he may be willing (how weary soever he hitherto hath been and is in [things of] this Nature [apt] to be) [to] see a good part in the business. And then, though we do not promise ourselves any notable [assistance] from the Catholics in general towards the King's service, yet I hope none of our friends will refuse to joyn with those who will be forward, because they are Catholics.

14. I find many are of opinion that the King should publish a Declaration (which wee think very unseasonable in this conjuncture) and might contribute towards their uniting. I am sure it is a very difficult work, and, without a joynt advice from our friends, in the matter as well as form, wee shall not adventure upon it. If you speak with Massey, he will shew you what I have writt to him upon that argument.

15. The last Diurnall mentions a Report made to the House of the state of their Debts and of the Publique Revenue both certain and casual, together with the Expences. I suppose it no difficult thing for you, by some friend in the House, to get an extract of that account which would be very well worth the seeing.

16. It is a great pity the House doth not prosecute the complaint against the High Court of Justice which would be a matter of great moment.

17. I must not forget to tell you, that (though I am very farr from confidence in Wildman, or that he hath not heretofore betrayed some of our friends) yet I am very secure he cannot corrupt Titus (upon whose integrity you may rely) and he will hardly overwit him.

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18. There is a Party, among the Republicans, which is not satisfied with their leaders; and, if they find that they are compounded with or (because of their greatest allies) frightened to appear any where but in Parliament, they are resolved to do somewhat briskly without them. And there are good fellows among them, who will use all their credit to spur them on.

19. It is very strange that all our friends (I mean, [those] who do not resolve to submit to any termes [which] shall be put upon them, [as] Oaths, Abjurations, or the like) do not think it necessary to consult together for their own preservation. I hear not from Mr. Rumball of the argument you mention. And I wish he would perswade those cold friends to send an expresse over to the King, to give him satisfaction of their temper.

20. If it should fall out, as some letters perswade us to expect it will, that the Army will comply neither with Cromwell nor the Parliament, but will set up for themselves, at least make both the one and the other properties, and oblige them to such lawes for the Government as they shall direct; I hope there will be some found, of all Part[ie]s who will not only protest for the Priviledges of Parliament but betake themselves to arms for the defence thereof, in all parts of the Kingdom. The quarrel would be so popular that they could never want hands, nor would the Army be engaged intirely to suppress them, nor their own lawes to punish them. I will adde no more but the very faithful service of, Sir, your most affectionate humble servant, Edward Hyde."

1659, May.—John Mordaunt to Sir Edward Hyde. (Printed in *Clarendon State Papers*, III. 459.)

1659, May 5, Dublin.——— to John Mordaunt. "1. I have delayed my Intelligence, that I may give you a certain account what our friends resolves will be. They are well principled. What[soever] reports you possibly may heare, I can certainly inform you that it's necessity and only a stalking horse to gain the designe. Many obstacles have been thrown to thwart their intentions; but I hope carefulness and resolution may batter down all resistance.

2. Your friend and my relation is encouraged by the gentlemen of our County; who are so well satisfied, that they have promised upon the least and shortest summons to aide him with all their power. I am not yet with them, nor will, untill they bring things unto maturity; but shall be ready to serve them with my life and state as soon as they declare; which cannot be untill you and others shew themselves. They are in heart for a full and a free Parliament; though they declare for the Parliament [onely].

3. Sir, I am well certied of your carefulness and reality in this cause; which makes mee write more boldly. I beseech you be carefull it be not known; which may utterly ruine all the designe. This is all at present from your Countryman and Neighbour.

I have given the Character of the suspected Person."

1659, May 9.—Sir Edward Hyde, Lord Chancellor, to John Mordaunt. "1. Yours begun the eleventh and ended the fourteenth is come

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safe to us, as I hope my last to you is of the third of this month by the way of Calais. And therefore I shall not repeat any thing I said in that; and it may be I may likewise send you a duplicate of this the same way: and then, whether it be directed for Mr. Brown (as you appoint) or for Mr. Newman as Mr. [Hartgil] Baron directs, I suppose it will be all one, and, for ought I see, that way by Calais (when the custom of opening letters is broke loose again) will be not only the obscurest, but the shortest way we can make use of; except some extraordinary opportunity falls in our way.

2. The King is exceedingly afflicted &c." (the remainder in *Clarendon State Papers*, III., 463).

1659, May 16.—Sir Edward Hyde, Lord Chancellor, to John Mordaunt. "1. My last to you was of this day sennight, being indeed but a duplicate of what I sent the day before under a cover to Mr. William Rumball, which I doubt is not yet come to your hands, and I am the more sorry for it, because in it are all those letters from the King which you have written for (that is, for Mr. How, Sir William Walker, and Lord Manchester) and which I durst not send with the duplicate, though I believed it would come sooner to you.

2. I have since yours of the 21 [of April] which came not to me till yesterday, together with the last weeks letters of the 29th, the former having been stopped on your side the water, so that we know in what distemper all things were then, and that is enough to make us imagine and hope they are much higher now. If they are not, the council we can give from hence (upon the prospect we have) would be as improper and unseasonable as if things were run to the highest extremities. All we can say must be upon generals, which you upon the place must judge how to reduce into particulars.

3. It hath been a great defect in the Parliament, that before its dissolution and when it saw what fate did attend them, they did to pass some such Votes and Declarations against Taxes and other arbitrary proceedings that may work upon the People.

4. If a right representation hath been made to us, the Army yet seems not to be of a piece, but to be governed by several Councils, and those of several interests; and it would be no hard matter to insinuate to those who are upon establishing the Republic, that they cannot lay a foundation that shall promise security without first taking all kind of vengeance upon the whole family of Richard Cromwell and [the] principal Ministers who contributed to his Tyranny. And if this be soundly done, whither with formality or without, it would be a good beginning and excellent things would follow.

5. Though there seems to be a good disposition towards the re-creating of the Long Parliament, yet there are so many objections against it, and there might presently be called into it so many new Members and such accounts for the dissolution and the circumstances of it, that I can hardly believe they will venture upon it; and, if they should, they will meet with difficulties enough.

6. The banishing of so many of our friends from London hath not made it less inconvenient that you did not meet before and consult upon what is to be done. And I doubt not but you will find great use of those Commissions for the putting of several Counties in a good posture, and will in due time dispose them accordingly.

7. You know very well that the persons trusted have authority to increase their number, by choosing other fit persons to join with them. So that, if for the present our other friends' wariness or absence keeps

them from joyning with you, it will be very well if you can procure Sir William Waller, Sir Horatio Townshent, Colonel Brown and other persons of quality to undertake the present worke with you.

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8. The King is willing that you joyn Mr. [Job] Charlton to you, who is a person utterly unknown to us; though it seems of merit towards his Majestie and of interest to advance his service.

9. Wee can give from hence no other direction or advice for the election or admission of persons to joyne with you in the great work of moulding and designing than that you do the best you can to get persons of quality and interest, that others, upon any change, may be the better disposed to the conjunction, and to receive orders and directions from them. And you very well know, in the several Commissions for Counties and other services, there will be room enough for all honest men to bear their parts according to their several qualities and faculties.

10. When I had written thus far, Mr. Baron came in; who giving us other work to do, I shall refer you to him for particulars, rather than put them in writing.

11. I am sorry that Massy is not so easily satisfied upon conference with you as hee should be. It is very natural for men who are ready to expose themselves upon a particular action that hath danger in it, to desire to be assured that diversions shall be made by others, so that the whole power of the enemy may not fall upon him. And this, I presume, is all that he is inquisitive after. Wee know he is not without infirmities and weakness; but his courage and integrity is unquestionable, and his reputation great, which will make the other more pardonable. He was sent over principally (besides that wee had reason to believe that he would find many friends on his own account) to assist in the business of Gloucester and Bristol; where our friends that looke after that affair sent us word, his presence would be very acceptable. And I have writ to him to betake himself to that; and that, if he can find encouragement to proceed therein, he need not doubt but that the Army will find somewhat els to do in other places. And in truth, methinks, any action that shall necessitate the Army to draw from London hath opened a fair door for all good fortune to enter to us. For (if Tichbourne and Ireton's interest can preserve the City for themselves, we have had an ill account given us) and then the neighbor Counties will be at liberty.

12. I have [also] writt to Massy, that you will deliver all such Commissions as are necessary for that service. And truly if Mr. Popham and Mr. How joyn with him, and such persons of quality as are best known to you and them be inserted into those Commissions for those adjacent Counties who have power to choose the Commander in chief, I should hope that those places might be so good a foundation to begin upon, and such a retreat and security to our friends, that they would not need to fear any affront from the enemy, and that they might very reasonably assure themselves that other places would follow their example. And, though they might governe themselves and their counsellors by those Commissions from the King, they are not therefore obliged to use his name in any publike acts; but may only, in their declarations, own those specious grounds which have been so often mentioned between us. And, if you do at any time find Massy less prepared for that kind of reason which all understandings cannot comprehend, you will find Titus very capable of it, and as willing to doe those offices which the wise owe to the weak.

13. Mr. Baron will give you all those letters which you have desired from the King, in the delivery whereof you will cause that time and

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method to be observed which you judge most reasonable. Only I <sup>must</sup> desire you that that to R. Harlow may be put into the hands of Masey or Titus who have most Friendship with him, and therefore may reasonably expect the office."

1659, May 16.—Sir Edward Hyde, Lord Chancellor, to John Mordaunt. (Printed in *Clarendon State Papers*, III., 471.)

1659, May 23.—Sir Edward Hyde, Lord Chancellor, to John Mordaunt. "1. A. N. (i.e., Nicholas Armorer) is well come to us, and hath brought yours to the King that was begun on the 28th and finished on the 29th of the last [month ;] and your other on the 2nd of this month to myself, which is all he brought. And therefore I do not well understand the Postscript in Mr. William Rumball's letter to Mr. Baron ; which he desires that an answer be speedily sent to yours of the 21st. To all your former, very full (and I hope, satisfactory) answers were returned by Mr. Baron ; who, after one day's stay, went from hence on Saturday last, and I hope reached Calais by his time appointed ; though N. Armorer and he met not upon the way. And I doubt not he is now safe with you, and shall not repeat what I then said, or he was instructed in : which I hope hath given you satisfaction in many particulars mentioned in these letters. And I shall once for all assure you, that, upon receipt of any dispatch from you, I never delay returning an answer, but immediately go about it and send it away by the first opportunity. And, if by cross winds or any accidents they delay too long by the way (as I doubt mine, by Mr. William Rumball's messenger, hath done) it is not our fault. But hereafter I will rarely send by shipping, but prefer the way of Calais, if this, being a speedier, do not prove secure.

2. The excellent Representation &c." (the remainder in *Clarendon State Papers*, III., 475).

1659, May 27.—John Mordaunt to the Lord Chancellor. "1. Having since my last spoke with Titus, I find him so so clear in opinion that the Engagement of Bristol and Gloucester stand fair yet, that upon his encouragement (on whose prudence the King relies, we think it our duty to represent to the King the advantages will accrue to him, if he be in a posture to land 3000 men, which descent will give a new life to his business, and the wariest then will fly in to him without delay. This we have their promises for, and these promises are all we can ever think ourselves secure in. This of the 3000 Foot we desire in case the war be begun in the West, and a Division follow. But if, upon reinforcing these Towns or other discoveries, the Undertakers should draw back and refuse to hazard an attempt, we think 3000 men too few to advise his Majesty to venture his Person with.

2. Of your present condition we are in the dark ; but hope upon the peace between the two Crowns, you can never want such a number of Foot as we desire ; these to be ready in few days ; since it hath been our care constantly and earnestly to beg of you, to put yourselves in the best posture you could for present action.

3. The Offers of those French I gave you notice of, creates in us a belief, that if the King of Spain, on the return of his rich Fleet, supplies you with money, you can neither want men nor vessels to transport them : the humor of both those Countries inclining them to a war with us. If this be [ ] we have reason to hope you are already prepared to second any attempt, if not to begin one ; for which

5000 men is here judged sufficient: the divisions here considered, and the promises so universal.

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4. We humbly leave to your considerations where you will land; and whether in one body or two; in Kent, or Norfolk, or more westward.

5. If it could be ordered so that, two days before you set sail, we might know your intentions, it would advantage you extremely that, to so good a body of Foot, all the Horse we can engage might presently joyn. And more than two days notice might ruin all: secrecy being the soul of such resolves. All these particulars we, as becomes our duty, wholly resign our obedience to; and shall, in that, best manifest our inclinations to serve the King.

6. The particulars of the west Titus will give an account of, who is returned to those parts to perfect what he finds well begun. He humbly desires to be pardoned for not writing, being what you will find here is his sense as well as ours (*sic*).

7. I have lately had hopes to have transmitted to you a good sum of money, knowing how necessary it would have proved in this conjuncture, both as to the filling your own regiments, and as to the engaging other Forces; which we suppose money would easily do in so populous a Country. But the terms on which it was to be given were so conditional, that, to me, they seemed to take off much of the thanks they might have expected from so generous an offer. However I am not yet in despair but a sum may be raised very advantageous to you, if those People who are to give it may be permitted to lay it out their own way, and by their own instruments. Of this you shall have a fuller account, it being my care for the present to order it so that a friend of mine may be entrusted in it. Which if I succeed in, I shall think I have not done amiss. You may depend no time shall be lost in this affair; it being necessary that you post your fortune before the Fleet return from the Sound, or that Lawson get out of the River.

8. The base resignation of R[ichard] Cromwell will be made known to you by other hands, and of his brother's following his example. I am so straightened in time I can say no more, but that I am, &c.

I beseech you present my most humble duty to the King and my most humble service to Or: Ld. [Lord Ormond.]

I have now assurance of a good sum from a Lady whose purse may bear it. My Lord Bruce deserves a kind letter for it. This is to hasten your Levies; else I had not mentioned it till it was deposited: because accidents may change the resolution of Women."

1659, June 4. — Mr. Secretary Nicholas to John Mordaunt.  
"1. Yours of the eleventh of the last moneth, brought by this worthy person Mr Alestre, would have made us very sad, had we not a little before received more comfortable news by the great diligence of honest Mr. Rumball.

2. I hope Mr. Baron hath satisfied your expectation in the dispatch he brought you.

3. Mr. Broderick is here esteemed a very discreet and faithful person; having given good proof of his loyalty and industry in his Majestie's service. He corresponds chiefly with the Lord Chancellor; is much confided in by Sir Richard Willis and others that have been privy to the trust reposed in that Knight, and others of that Knot.

4. The Lord Chancellor saith, he hath formerly written to you concerning the passing your patent. And, when his Lordship shall

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receive your answer to that letter, it will be proceeded in as you see direct.

5. For that business whereof Mr. Baron hath discoursed with me concerning yourself, I have now spoken of it to both M[r.] M[ordaunt] and good friends here; who wish that we should consider of it, before anything be moved in it to the King.

6. I assure you your dispatches are most welcome to the King. And your indefatigable industry and pains in all his Majesty's concerns and interests, have that value and esteem set on them by his Majesty, and those with whom by your direction they are communicated, as they well deserve. And I assure you the King on occasions, expresses his gracious sense of your singular merit.

7. Those that best know mee can tell you I am no man of contentment or courtship; but I shall faithfully serve you so far as it shall be in my small power, as being with much truth and sincerity, Sir,

Your most humble servant.

I write not to honest Mr. Baron; having not heard from him since I saw him."

1659, June 4.—Sir Edward Hyde, Lord Chancellor, to John Mordaunt. (Portions only of this letter are printed in *Clarendon State Papers*, III., 480, "Mr. Wright" being printed for "Mr. Ramboall.") "Sir, 1. I have yours of the 16 [past], and I hope Mr. Ramboall hath received mine of the 27th which I sent through the same Hand by which his last came to me.

2. It is not possible for the King to give more particular directions in the great business, or to state his own condition more clearly, than he did by Mr. Baron.

3. Whatever advantage the Peace between the two Crowns will produce for the King in time, we cannot expect that fruit till the Peace be fully established. And that may take some time. The conveniences are enough, both at home and abroad; if our friends will make themselves appear considerable there; I mean so considerable to possess themselves of the places you mentioned: by which they would be secure from any affront from the enemy. Which would give us so great a reputation, that I presume they, who have been so cold towards us, would be most forward to give us help. Whereas being quiet and the King receiving no advantage by these means, people generally abroad believe the change to be no other than from a publique instead of R[ichard] Cromw[ell]. And even they, who would otherwise, do really fear that the King's party is not considerable. And the haste the Hollander makes so unreasonably to acknowledge these inconsiderable men for the Republique of England, Scotland and Ireland (which is the stile Newport prescribes to his masters for the address) will in a short time give them great reputation. And Spain should likewise enter into a publique and avowed Treaty (whether it may be they may not afterwards agree) our friends there will have much more pretence for their wariness. Which is not said to haste them to any rash attempt: which, you know, his Majesty hath always professed against. But he thinks still, if the business of Bristol and Gloucester be executed according to the design, it can never be a rash attempt; and we should hope the fire would quickly go through the Kingdom. And the reputation of it would go near to make Spain, France, and Holland our friends. At least, I believe, they will connive at their subjects performing such offices towards us as we serve the turn. We are therefore full of longing to see what is determined in those particulars.



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4. If those foundations fail, we shall be in great apprehension of the safety of particular persons, who have too much communicated their Purposes; and then many, who would have performed their parts well enough if there had been action, will betake themselves to the worst arts for their preservation. Yet even that is not so bad as offering at an Insurrection and being suppressed the next day; which can never be, if the other places be once possessed. And, if you had Lyn and Sandwich, the King would quickly be with you.

5. His Majestie is very glad that Col. Brown makes good his professions, and gives him no other thing in charge for the present, but that he takes care of his person and preserves his liberty.

6. The King doth not write to my Lord Winchelsea (of whose affection he is very well satisfied) because he can give no other directions but what it seems is resolved between you: the pursuing whereof depends upon what is done in other places. Nor hath his Majestie been without those thoughts of Bulloigne and Calais which my Lord recommends to him. I am persuaded, if his Lordship be once up, and possessed of Sandwich we shall quickly throw over more men to his assistance than he proposes. And sure the army will in that case find it hath enough to do.

7. There are officers enough of all nations who would be very glad to transport men for England; and that course must be taken, if nothing else will do: though nobody thinks more unwillingly of it than I do.

8. I am heartily sorry for what you tell me of Col. John Russel: who, I hope, will be sorry himself and repair it.

9. We know not what to say to that spirit which hath possessed so many of them. If the designs on foot succeed, I doubt not but they will clearly declare themselves. And, if we are so much disappointed in what we have so much presumed upon, that it does not appear counselable to those upon whom we depend to proceed in those enterprises; we will not then despair, but hope the best from those arguments which our friends have given. And I am glad that they do not apprehend danger to their own person by delaying.

10. The King doth not conceive that Sir Horatio Townshent will be able to do him less service by being chosen [one] of the Councell; or that that will hinder him from going into the country when the conjuncture requires it. And, till then, he will be able to give you the better advice at London. And therefore his Majestie refers it to his own discretion, to doe what he shall, upon conference with his friends, find most conduceable to his Majestie's interest.

11. The King forbears to send you any letter for Colonel Norton; because there is either one delivered to him, or remains in a gentleman's hands who knows him well, and will not omit the opportunity when he finds him capable of being prevailed with. And without doubt there hath been some apparent indisposition in him, that it hath been kept up so many moneths: For we do not suspect the fault to be in the person entrusted. However, if W[ill] Legg will let us know the person by whom he makes his approach; and that he believes there is reasonable hopes of prevailing: the King will send another letter. Which he is the more tender of doing now, because we have had an intimation within these fourteen days that we should speedily hear from the person entrusted.

12. Mr. Rumball's postscript is a very comfortable one. Which I wish he had a little enlarged; that we might have known in what manner my Lord of Hertford hath been treated with, and what he hath

LORD BRAY'S <sup>MSS.</sup>undertaken to doe : that his Majestie might better have known what to write to him.

13. I told you in mine of the 30<sup>th</sup> [past.] that Mr. [Richard] Allestre was then come to town. And, if that letter came safe, there needs no other reply to any particular of that letter of yours of the eleventh. For (besides that both your postscript and the messenger left the affair desperate upon which the letter was written) I conclude it continues so still, by your not having mentioned a word of it in this last; in which I hoped to have found somewhat of Mr. Broderick upon the occasion of what I writt by Mr. Baron. And in whom if you are not satisfied, upon your farther enquiry and what I have informed you, I can myself be the more wary.

14. If a little good fortune befall us we shall find both the great Lord and the great Lady very ready to acknowledge, that they have been very much mistaken in the character they have given our Master. And I am confident we shall all find that he will never deserve that reproach, of not being very punctual in keeping his word. And, if they that lay that imputation upon him would confess the truth, they would acknowledge that their quarrel is because he could not be prevailed with to make such promises as they wished; not that he hath broken any which he made.

15. I know not what to add nor what to advise, but that you make all the friends you can in the Parliament to pursue those counsells which may provoke the army; and your friends in the army, to affront the Parliament; and the agitators, to do any act of outrage. And, without doubt, a very rude dissolution of this Parliament, with all circumstance of reproach upon the members, might produce many advantages to the King's service. And this you are desired to impart to Mr. Charlton and Mr. Beverley, who (this bearer saith) can then with bring it to pass, if the King thinks it convenient for his service. And his Majestie doth beleieve, that nothing can more advance his interest, both at home and abroad; and therefore I beseech you that it be pursued accordingly.

16. I wonder we hear nothing, or very little, in these great changes of Harrison; who, with his Fifth-Monarchy-Men, would be the first instruments to promote the confusion; and must be as little pleased with the form of government that is like to be established by the Parliament as we can be.

17. Upon farther thoughts, and the assurance Mr. William Rumball gives of the Marquis of Hertford; the King thinks fit to take notice of his forwardness, and to send him his thanks. Which he hath done in the enclosed Letter marked M. which you will take care to get delivered by a trusty hand.

18. It is a thousand pities you have no way to be acquainted with my Lord Southampton; nor can I prescribe any. But you would find him one of the most excellent persons living. Of great affection to the King; of great honor; and of an understanding superior to most men. And, if the business of Portsmouth once succeeded, he would be the best countenance to the proceedings in those parts. We do not at all write to him; knowing it needs not. I think W[illiam] Legg acquainted with him. God send us a good and a speedy meeting; and mee opportunity to serve you."

1659, June 6.—John Mordaunt to Sir Edward Hyde, Lord Chancellor.  
"1. Though no man living can be more against a rash attempt than I am, yet to loose such opportunities will distaste the whole world. W"

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have such a veneration for a sacred person, that, though all seem still very fair to our apprehension, I dare not make it my desire his Majestie should come over, 'till by an express he hear wee are united, and then he [may] make it his own act. And the reason [is] the wary gentlemen differ wholly in opinion from us, and, I fear, may dispute orders, unless from the King himself. So that, 'till this be reconciled, I wish the King only ready and resolved to come.

2. Noe minute shall be lost to hasten all things. And, now so many considerable persons are in the great trust, affairs proceed properly.

3. This day my Lord came to Abscourt, to have the advice of that worthy wise person; who will doubtless allow it freely.

4. The gentleman [who] will kiss your hands with this, is one extremely honest; for which quality I have sent him; having never been abroad. Hee is my kinsman, and one [who] from the first war, engaged for the King: his name is Rowlandson. Pray, my Lord, dispatch him; and be pleased to think it is now a most secure time to pass the Patent, els I would not upon second thoughts desire it. I am, my Lord, certainly Your most humble and most obliged servant.

(P.S.) Truly I must complain again of Mr. Br[oderick]; whom wine or desire of talk makes dangerous. For he continues to expose us in taverns before too many companies: so that we fear to be examined, especially Mr. R[umball] and your servant.

'Tis supposed for certain, notwithstanding all our endeavors, the army will not break with the Parliament 'till they have modell'd themselves so as not to fear any prejudice by it. I was of opinion, the continuance of the Parliament would not hurt us (they being so divided) but, on better thoughts, I wish they were dissolved."

1659, June 6.—Sir Edward Hyde, Lord Chancellor, to John Mor-daunt. "1. I hope Mr. Cowper is by this time with you, and he hath then not only delivered you an answer to all you sent by him, but likewise an acknowledgment from me to Mr. Rumball of the receipt of yours of the nineteenth [past] to the King. To which in truth, as I then told him, very little can be added to what hath been often said.

2. It may reasonably be hoped, that, when the Peace is with all the formalities established between the two Crowns, both Kings may be induced to joyn in such an enterprize for the re-establishment of our Master as may be worthy of them, or rather as they may think most agreeable to their own interests. But, 'till the establishment be made, it is not imaginable that the King can procure forces or assistance from either of them to begin a design in England, and to take advantage of those revolutions which happen every day. The truth is, all the benefit this country yet enjoys, as from the Treaty of Peace, is, that they are not at the charge of drawing the army together, or of making any defence against an enterprize of the enemy, which they are very ill provided for; their poverty being as great as ever, nor one dollar yet returned from Spayne since the gallions came. Nor have they been able to supply the King in the least degree these many months. By reason whereof his necessities are so great they can hardly be imagined, and could not have been born, if the King had not received some small sums from some friends in England, which have been applied to buy him meat.

3. You will from hence easily conclude how impossible it is, from hence, upon a sudden, to procure either shipping or men to undertake the surprize of any place; especially while their ministers do beleieve, upon what Peter Talbot tells them, that the Republique is settled, and

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that they shall have a Peace upon their own terms; and until they see somewhat appear that may persuade them to think the King hath a party in England, which they do, in no degree, beleve; and the Cardinal himself (who enough detests a Republique) doth very much distrust [it].

4. But if, contrary to their expectation, there once appear a visible opposition to the present power, and places of importance possessed against it; wee shall have credit and reputation in all places, and the King will not only find a way in a short time to transport himself, but the numbers he hath formerly mentioned. And, if Sandwich were in the hands of his friends, you would I am confident have every day men sent over, as well from France, as from these countries. And wee only want a little credit from thence to make us considered every where. Therefore, though the King will never give any such orders as shall dispose his friends to rise against their own judgments, and to make himself the cause of their farther ruin; yet nothing can be so happy to him as to find, that their own understandings, as well as their inclinations, have disposed them to appear in arms. And, any considerable places being possessed, it will not be hard for them who rise in other countries (for then, I hope, the rising will be general) to retire thither; and the Parliament must, not only be forced to make a General (which, we perceive, they have no minds to do), but the army will be compelled to march from London: which is all you can desire. And, if it be so brought to pass (as very probably it will) that the army dissolve the Parliament, surely you have lost no time, but will then appear in any reasonable enterprize as seasonably and advantageously as can be wished.

5. The King is exceedingly pleased to hear that the Lord Willoughby and Sir Tho[mas] Peyton have joyned themselves to you. And, if the garrison of Lyn be so small, and the troop of horse prove faithful, his Majestie hopes my Lord Willoughby, by his interest, will be able to draw in men enough for that work; the town being generally well affected. And, though it be not possible for the King to send men hence to surprise it, it will not be difficult to send men thither as soon as it is declared. And, in the adjacent countries, we have many friends who will embrace the opportunities. And Boston may then likewise be easily possessed.

6. For the emulations upon particular command in the several countreys upon the first risings, I can say no more than I have done in my last to Mr. Rumball. And I hope Sir William Waller will persuade my Lord Winchelsea, not to affect a command that will not hold above ten or twelve days; and that is more honour to chuse the superior officer than to be one. And I believe he hath very much kindness for Sir John Boys, who may be as fit a person to be Major General of those forces as any man; and, if I am not deceived, is well beloved generally in the country.

7. It will not be possible, or at least convenient, for the King to send over any person of honor into Kent before the business be begun. And, shortly after (if you have Sandwich or any other proper place), his Majestie and the Duke of York will be quickly with you.

8. You will beleve we are full of prayers for you, and that we may happily come together; which is faithfully hoped and believed by," &c.

1659, June 6.—The latter part of a letter to the King. (See Mordaunt's letter in *Clarendon State Papers*, III., 482.)

1659, June 7th.—John Mordaunt to [Secretary Nicholas]. "1. I have now given so full an account to the Lord Chancellor, that I shall

give you only the trouble to press the signing my Patent. For the other affair, I will not push it; because 'tis a reversion: and I have a particular inclination to be near the King's person. For that I hope I have, and shall serve him so considerably, that I shall not be refused being of the Bed-chamber.

2. You are so extreamly obliging to me I can no ways endeavor any return, but by offering myself to be disposed as you shall advise me. And certainly I shall have so many obligations to you, that, unless I prove a very ill man, you will have a perfect friend and obliged servant of M.

The Votes of this day are considerable. The seventh of May is set [for] a period to this Sessions. [And] ordered, that all Commissions be taken from the Parliament.

'Twill settle in [an] Oligarchy: and, what we do, must be done quickly. And nothing can be done without the King, or the Duke of York; whose interest here you ought not to be jealous of: since the King's is clearly so far superior to it.

The Ch[ancellor] is believed to be the person [who] obstructs all action; and no ways relished by the old Knot. You may shew the postscript.

Pray ask the King if he treats with H[enry] C[romwell]: it will concern us to know it.

This evening H[enry] C[romwell] is voted to come hither; and five Commissioners to rule Ireland: Whereof two are already there, and three go from hence."

1659, June 7. — John Mordaunt and others to the King.  
 "1. That your Nation should be so disposed to receive you, and so concern'd for the injuries you have suffered, and yet that it should not lye in the power of those [who] really honour and reverence you, to make those good inclinations conducible to your Restoration, is so sad [a thing] that I can scarce expresse it. The common discourse in the very streets is, No Peace to England without the King. The major part of this very House in private owne no lesse. Yet no man, that is considerable for interest, will give beginning to a warre, [which] cannot, in the opinion of the gravest men, last a month.

2. I would beg your permission, Sir, to lay the fault where truly it is. And truly the obstruction proceeds from some flegmatick warinesse in the Knot; many of them being too much at ease to hazard either life or fortune. Yet were this humour only in them, the misfortune were superable. But, to justifie this cold, unconcern'd, prudentiall warinesse, they make it their businesse to gaine proselites; so that no industry can hasten action, if, after our discourses, any of the contrary opinion light upon the persons wee quicken with continuall solicitations, and now, having suffer'd under rigour and tyranny, have not the use of their reason so free, but that a graine of feare will operate more upon them, then a far greater proportion of hope. I am very loath to name those who are more industrious to prevent action, then ever they were to appear solisitous in your behalf. But, if by a total delay they impede your affaires so far, as that it appears likely to prejudice you farther, I shall think my self tyed in conscience to let you know how far mallice and envie possesse them.

3. By a worthy subject I had secured to you 20,000*l*. which could not be done but that some of these knew of it. To put [a] stop in this likewise they objected, 'If the moneyes were sent, they were not satisfied to what uses it would be layd out?' You may judge, Sir, how cooling a speech this was; and how seasonable; and the difficulty not to be

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removed unlesse I would, upon my Honour, see it layd out in the hire of vessels and buying armes and ammunition.

4. To this I was forced to condescend, beleeving it better to have the money on any termes, then not to have it at all. I mentioned something of this in my last; but now I think I ought to acquaint your Majestie, that, though the money be severall peoples yet my chiefly solicited this affaire and shee rules my lady Devonshire. These names I beg may be kept very secret. For the money is yet kept for your service, if it will serve to transport you with so considerable a number of men, as may give a stand to a part of the jury, and a shelter to your friends, who at first must be protected by a formed body.

5. I mentioned my Lord Bruce too, and desire the same for him, I doe for the Ladies. I feare H.C. [Chancellor Hyde] is not thought kind enough to them.

6. Indeed, Sir, these are a sort of men [who] will have their interest and security provided for, before they will act. But they, that will neither serve you themselves, nor suffer others to do it without reproach, are without excuse. Yet, upon conference with me, they seeme approvers of what is done; though by after hands, I know they discredit us as much as they can. Their way has so discourag'd my Lord Willoughby, that hee protests, if your Majestie can find no way to engage us in action, hee feares delay will ruine all. W. Legg is absolutely enraged at the loosing so faire an opportunity, and wishes you any where with 1000 men. 'Tis very unhappy if your fate must depend on the wills of your enemys, which is not to be denied if we follow the rule of these over-wise men, who say, without a breach here, nothing can in their opinion succeed. And 'tis to be feared since an established government was absolutely subverted without one drop of blood, that these may settle without coming to blowes. However, I am cleere in opinion, no occasion ought to be slipped when fairly presented, and, that wee have had a very faire one these six weeks, is the opinion of all the world. In short, Sir, these prudential gentlemen obstruct action, and, having been in your business formerly, their reputation is great; and what wee doe in the day, these destroy in the night.

7. Great use will now be made of the instructions, and, if we cannot force it to a warre openly, wee will endeavour to undermine; which perhaps may succeed: But 'twill take time, and depend on contingents. Harrison and his party must be cajoled and all wayes used to hinder settlement. In this your Majestie may assure yourself of industry and diligence; for your trust is in wise hands, and they will manage their part well.

8. I am now most concern'd as to your own condition, which I apprehend is tedious to you, and must give you sad houres, when a great arme of the sea obstructs all your hopes and our happiness. I can only say many are of opinion you ought to hazzard your selfe; but, whether it be reasonable in us to desire it, I will not venture it on my judgment. I had presum'd to have kiss'd your hands, if Captain Titus (on whose judgment and integrity I much rely) had not dissuaded me from it; beleeving me more serviceable to your Majestie here.

9. The propositions you will receive from Ireland, I humbly beg may be gratically received; and, that you will please to command us positively to obey what your Majestie commands: your instructions being undervalued here by those [who] deny to serve you in the instruments you please to think worthy [of] your trust. And these are, Sir, Your most dutifull and most obedient Subjects Willoughby of Parham, Genl

Booth, . . . Newport, . . . Mordaunt, W. Legg, William Waller, W. Rumball, J. Charlton." LORD BRATE'S  
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1659, June 13.—Sir Edward Hyde, Lord Chancellor, to John Mordaunt. "1. I have yours of the 27 [of May] and, methinks, while this good way of conveyance is open to us, wee have an excellent opportunity to communicate once a week all that is necessary. And I doe not finde [that] any of yours or Mr. Rumball's to us have miscarried. And, if ours to you have had the same good fortune you cannot complaine of being in the darke, with reference to the King's advice, which hath been, in severall letters, represented very clearly to you. And, though the state of our affairs there varie every day; yet nothing can varie ours [here] but either such good accidents in England as may give us reputation abroad, or the finall conclusion of the Peace between the two Crowns, by which they may be at ease to declare their full resolution towards us. And, 'till one of these things fall out, you may conclude us to be in the same condition we were a moneth since; and that the King can be no more ready to transport himself with two or three thousand men, then he was when Mr. Baron was here.

2. If the designe of Bristoll and Gloucester stands still faire, wee cannot imagine why it was not executed; nor doe we yet heare from Massy or Titus.

3. If such a sum of money could be raised as you mention, the persons who send it may, if they please, cause it to issue through such hands as they like; no body here desiring to touch a peny of it. And, there being no question, but, if money and shipping were ready, wee could have men enough; it is indeed great pity that, wee here and our friends there, have not been better prepar'd to appear in armes, upon these great mutations, which have lately happen'd. But, methinks, I doe not see any thing yet done, to make us despaire of the like opportunities; nor doe I conceive wee have at present one friend lesse, or one enemy more, then wee had two moneths agoe; (It is possible all men's hopes and feares are not the same they were; but those ebbes and floudes will happen under every wind) nor that the army and parliament will sooner agree upon a government, because they are out of apprehension of the Cromwells; nor that their tamenesse and dejection of spirit will finde the greater remorse.

4. Now is the tyme for the parliament to raise monuments of their justice and severity, for the future terror of those whose ambition may dispose them to break their trusts. And I hope you want no instruments to kindle that fire. And I suppose a list of all the parliament men is in print which I would be very glad to see; as I would be to know, whither you continue the same good opinion of Sir Anthony Ashley Cowper? And whether hee received the King's letter?

5. I have seene a letter from Mr. Baron to the Secretary by which I perceive there remaines some jealousies and distances among our friends; which, I hope, proceeds rather from misunderstanding then from any waywardnesse; and that the interposition of discreet persons will qualify and extinguish all those distempers. Wee have yet heard from none of them; and you may be very confident, that the King will not gratifie any man's passions, by the disoblidging others that serve him faithfully. And I have too good an opinion of them to beleieve they can propose any extravagant thing."

1659, June 16.—John Mordaunt to Sir Edward Hyde (partly in cipher, printed in *Clarendon State Papers*, III., 489).

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1659, June 20.—John Mordaunt to the King. "1. I have engag'd my Lord Willoughby to endeavor to bring these gentlemen to my opinion; that all engagements may be ready at a time. And, if we succeed, wee shall be in a posture to receive you. However wee are diligent to do it, if possible, without them. Three weeks they think too little, but wee think it too much. I suppose Coll. Po. may give your Maiestie an account from thence.

2. Just now wee have hopes H[enry] C[romwell] may stand out."

1659, June 20.—Sir Edward Hyde to John Mordaunt. (Printed in *Clarendon State Papers*, III., 495, but without the following postscript: "Is it not possible to get some good fellows, either of the army or the city, to petition the parliament, that [all] persons may be removed from either who have been instruments of tyranny? And that all those who, by force and unheard of insolence dissolved the parliament in 1653, may be brought to condigne punishment?"

1659, June 20.—The King to John Mordaunt. (Printed in *Clarendon State Papers*, III., 498.)

1659, June —.—Sir Robert Howard to John Mordaunt. "1. I shall in London expect your returne!

2. Hitherto all my proceedings doe more then answer my expectations, especially the businesse in Staffordshire; which by my friend there, is grown to a considerable greatnesse.

3. At your return, I shall dispose of my self as the king's interest will best require mee. I only desire you, that a right use may be made of the distractions they are in here. Their own ruines, which is visible before them, may invite them, more then their consciences, to think of an accommodation; the managing of which is to put our selves in a capacity to enforce more then perhaps they intend; so that if they meane no deceit, wee are not lesse capable of judging; and their fautenesse will not have much power, if wee prepare in the worst expectation; and wee shall never have so free leave againe to arme our selves. But, without dispute, the King must at first appeare in person. When that shall bee, I shall advise with you when you come, that wee may in the safest way hazzard him that is our all."

1659, July 2.—John Mordaunt to Mr. Hartgill Baron. "1. The obstructions the wary gentlemen have made, and the fears they infuse into them with whom they discourse, has wrought a great change in the minds of people since you went. And, though Sir John Bois and Will. Legg are clearly for present action, Mr. R[umball] is against it, and prevails with many to own the same opinion. This strikes at the power the King has plac'd in us; which not countenanc'd by the King, according to his instructions, a great confusion will follow. I doubt not but the King will make good his own act; and that since he offer'd Mr. Rumball and Sir Will. Compton their shares in the trust, which they both refus'd, he will confirme the power to those great persons [that] now are in it; that act ingenuously, and who are, for quality and fortune, the most considerable in England.

2. My letter to the King (which I desire you may see) is not to discourage him at all, but to give him a true account of the present state of things, and the great division like to arise here by reason of Mr. Br[oderick]; who will have those of the Knott serve us as they did poor Penrudduc at Salisbury; engage us to [rise] and then not second us; but sit still, courting their [fortune].



3. All stands very fair at B[ristol,] and indeed every where. Only Mr. Br[oderick] has laid some of us so open, that we expect to be examined.

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4. I am really yours, upon my honor; and depend upon the friendships you promis'd mee. I heare Major Hun . . plays false with you.

5. Send me word what fees are due for my patent, and to whom; that I may send them. Ask H. C. [Chancellor Hyde].

6. Pray speak to the King to write a very kind letter to my Lord Northampton; for hee very well deserves it."

1659, July 6.—John Mordaunt to the King. "1. I could never have beleev'd so tame a spirit possesse some that call themselves of your party; but truly they are not of it, wholly given up to their own ease and pleasure, and willing rather to live slaves, under the worst of governments, than virtuously to assert your just title and their own liberties. Every good man sure would be glad to expose his life, that this good work might be done by your own subjects; and that strangers might be excluded the glory and advantages of restoring you. But since our wretched sloath, stupidnes, envy, and want of resolution obstructs the begun work, let all the rabble of our neighbours over-run us, rather than your Majesty be kept out.

2. 'Tis to me so sensible an affliction to heare the engagements and preparations all over England, and to see such an universal disposition in all men to serve you, and yet that this cannot be made applicable, by the crosness of some, the miserableness of others, the want of secrecy in the rest; that truly, Sir, were I to be absolved from my duty to your Majesty, I would never draw in the common ayre with such people.

3. Since we dispatch'd Mr. Baron to you, we met in councill, and Titus was present, who was very well received by all; I undertaking for your Majesty's confidence in him. Just before we met, Major General Massey came in from the West, who assured us positively of the certain surprisall of Br[istol] and Glo[cester,] and of a considerable engagement in South Wales. By his account, I find, he has employed his time well in those parts; reconciling to himself the dispersed interests of others. This falling in so, the offers from the North made it appear to most present, that action was to be pressed, and a day sett. But the keeping of the surprised places came in question, [and] 'twas found we could not assure our selves of ammunition sufficient to defend them; powder and match being continually wasting. And truly, Sir, we have not foot armes sufficient for those numbers of men [which] will appear in your quarrell. And for such armes wee allwayes depended to have had them from your Majestie; not doubting, if they refused you men, they would not, armes. But, wee giving them a true account of your present condition, they discours'd of the readiest way to procure them. And, though [the want of] money be the only obstacle in such affairs, we found, by my Lord Willoughby's earnestnesse to serve you, a way to raise a summe to be employ'd in Holland; and Captain Titus was then thought fittest to see that perform'd. These are to be landed at or near Lynne. Sir Thomas Peyton, after so good an example, undertooke for Kent; but I fear the summe will not be so considerable.

4. This night we met Sir John Grinville. And, if he and Colonel Arundel will send immediately to Saint Malo's wee shall bee provided; if all this can be done in convenient time, before the new Militia settle, or we be secured. In case any of these faile, the supplies [which] were sent your Majestie can never be better layd out. Which, if your Majestie thinks reasonable, wee humbly desire may presently be done;

LORD BRAYE'S MSS. that no objection may remaine to those [who] seeme to be willing to serve you.

5. From Staffordshire Sir Charles Woosesley [Wolseley] assures of his interest, and his friend Sir John Whitcroft; and will leave himself wholly to your Majesties mercy. This engagement we hope will be considerable.

6. I sent Mr. B[aron] to Mr. Palmer, who returns your Majestie most humble thanks for your high favour to him. But says, he begs of your Majestie, that, in his old age, he may live quietly, and enjoy the satisfaction of seeing you restor'd as a private man and one no way fit for the duties of that charge. He will get a pardon ready, which, when finished, I will see safely sent to your Majestie.

7. Wee extreemly want money for necessary imployments, so that wee desire of your Majestie, that receipts, without name or summe, may be sent us; that, if any good, unexpected fortune befall us, we may raise a summe to contract for a town, or a port; privy seals procuring now no money at all.

8. A letter from the Fleet gives us some hopes Montague may prove honest. Which, if so, and the Treaty with Monck succeed, your Majesties game will be faire. The Duke of Yorke had hopes of some armes from France, and of some foot. T'would highly advance your Majesties reputation here, if but 500 men could be procured from France to land in Kent.

9. I am not forgetfull of the proposalls of Dunkerke; but some money being sent them, they are quieter then when I was at Bruxells. I beseech God [to] bless my endeavours, which shall ever be employed to make mee worthy [of] the name of, Sir, etc."

1659, July 7.—John Mordaunt to Mr. Hartgil Baron. (Printed in *Clarendon State Papers*, III., 518.)

1659, July 8.—The King to ———. (Printed in *Clarendon State Papers*, III., 519.)

1659, July 10.—John Mordaunt to the King. "1. We are differing in opinion and so factious, that truly I think we best uphold your honor, when we set the most value on the trust you have pleased to think us worthy of. And, now there are so many considerable persons entred into it, that your Majesties affairs cannot well miscarry, if private piques and emulations divide us not; I have many good witnesses with what willingness I courted Mr. R[ussell] and Sir W[illiam] C[ompton] to it. But, Sir, they refused too long to accept it when so fairly offered. And, though they seemed to approve of what we did upon the account we gave them, yet in private I am assured: that very time they lessen'd and disparaged both the persons and proceedings.

2. I have just cause most humbly to thank God, that not any, of these transactions passed through our hands, has yet been discovered to any particular person so much as examined about them. Which is more then these gentlemen can say, when they remember Salisbury, and Cromwell's telling them all the businesses they transacted, and all the persons in it. But recrimination is not fit for a person, who ought to submit quietly to whatever God ordaines for him. But I could not say lesse than I doe, to justifie those who have acted with mee, against the asperitions [which] lye upon us. Apprehending prejudice might accrue to your Majesties affaires by these misunderstandings, I went my self to Mr. R[ussell] and Sir W[illiam] C[ompton] to assure them, if any

scruple was entertayn'd of mee, by either of them, that I would most gladly write to your Majestie, for your permission to quit my share of the trust. They both told mee [that] no discouragement from the report of the world, or idle people, ought to make me quit an action I had so happily begun, and continued; and that at any time I should have their advice and assistance. But, Sir, all we finde from them is, that they are scepticall, and will have demonstration of everything, or allow no progress in it.

LORD BRAYNE'S  
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3. The reputation of these gentlemen is great, and the youth of the town are led wholly by them. So that wee may discourse what wee please [yet] in an houre these gentlemen shall sway them against what wee agree of as necessary to your service. And the people of quality, finding they will own no trust nor power from you, are uncertaine who to follow, either those, out of esteem and kindnesse to them; or us, out of the authority your trust places in us. In this miserable confusion wee now are; these opposing your coming; the country's enraged at delayes, when their hearts are up, and the army so inconsiderable for number or discipline.

4. This being the true state of our present condition, I think it my duty to represent it as it is; that, by our confusion and division, we expose not your royal person to hazzards [which] our unity amongst our selves might prevent: it being visible, if wee now draw not severall wayes, wee have it in our power to establish you.

5. These gentlemen are of opinion, [that] under 7000 men, you ought not to land. Others, that your appearance only will do it with the present preparations. These gentlemen beleieve the army cannot settle. Others beleieve it may; being already they have put out 200 officers, and introduced anabaptists and such in their roomes. In fine, Sir, these gentlemen would, as willingly as wee, have you here; but they are loath to venture for it, and expect from delays what we pretend to gain by action. Theirs is the safest way, if it succeed; ours, the noblest. Now, whether you will please to run a risque by comming over and commanding them speedily to forme, or expect what tyme will doe, is most humbly refer'd to your Majesties great wisdom. I only feare, [that] the hearts of most, [which] are alrede [so well] prepar'd, may fall so low, [as] no encouragement hereafter will raise them.

6. But, Sir, on the other side, the reverence we owe your sacred person is so great, we know not what to say, this division being amongst us. If your Majestie resolves to come, or the Duke of York, or both, many of these considerable persons must be writt to, that they may have no pretence to excuse them. And surely a common Fate ought to be runne, when you appeare; none deserving the name of a gentleman that will refuse to lay down his life on this account.

7. I am so perplext at the delay and objections they make, that (though last night it was the full sence of those whose names I sent, and who were consulted yesterday, that your Majestie should be invited to come) I cannot but of my self send this expresse to your Majestie, to acquaint you of all particulars.

8. The engagements stand every where very faire; of which wee can be no better assured, then by those [who] manage and looke into them; and they give us their faith and word for it. God of heaven protect your person, and inspire you for the best; which I cannot question but he will, since He hath [already] so miraculously preserved you. I shall ever be ready to lay down life and all, to approve my self, Sir, your Majesties most loyall and most faithfull servant."

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1659, July 11.—John Mordaunt to the King. (Printed in *Clarendon State Papers*, III., 524.)

1659, July 12.—[Sir Edward Hyde, Lord Chancellor] to John Mordaunt]. "1. Yesterday I received, in a letter from R. W. [William Russell] one from him for you, in which was another also in cipher, superscribed with R. W. his hand for your self; which opening, I found this later to be written by another hand, in the cipher you left with me, but it is not subscribed with any name. So although I have deciphered it, I know not certainly from whom it came; but confesse I now guesse at it.

2. I shewed R. W. his letter to the K[ing] of E[ngland], and acquainted his maiestie with so much of the other letters as I conceived necessary for his maiestie to know.

3. Mr. R. W. can tell you the reason why there are no bills of exchange yett come to mee. When any shall be sent me, I pray let me have a particular direction how I shall dispose of the money that shall be remitted to me.

4. Your patent hath already passed the signet, and shall be forthwith set in hand to be ingrossed. And I hope to let you know by the next it is pass'd the great seale. I long passionately to hear of your safe arrival, which is heartily prayed for by &c."

1659, July 12.—John Mordaunt to the King. "1. Being assured Captain Titus will give a large account to your Majestie of the whole, I shall only with great satisfaction present to your Majestie the hopes of our reconciling all mistakes, opinions, and clashes amongst us, as I am sure nothing was wanting in me to have done it sooner. But now all looks fair, I would have, if possible, all remembrances of past negligences forgot, and that every one apply himself to propose considerably to serve you. Yet your Majestie will receive reasons, which are now drawing up, to obstruct your remove and divert action. 'Tis our duty to refer all to your wisdom; & I might find something to say in this poynt. But, though these wary gentlemen would deferre the time, they resolve to act, in case either your Majestie or the Duke come. I beseech God to direct your Majestie in it, and to blesse your resolution with successe. My most ready obedience and humble duty to all your Majesties commands will make me appear, Sir, your Majesties most loyall and faithful subject and servant."

1659, July 13.—Sir George Booth to John Mordaunt. "1. This gentleman, the bearer hereof (one that lookes to my affaires in my own private fortune) I have had experience of his fidelity and honesty, he has something considerable to acquaint you with from me. Pray give him credit, and fear not to say to him what you have to say to mee. I am still the same you expect while my power continues, as befits, Sir, your most faithful servant—the person you did chide for not leaving my agent in London."

"(P.S.) The same reproofe I had from the lady in St. Martins Lane."

1659, July 15.—Sir George Booth to John Mordaunt. "1. The businesse you pleased to intrust me with that concernes the Lady [i.e. the King] in this country, I have been very faithful in. My unkle and my brother (who with his own hands presents you this) have been very serviceable to you in it. You will therefore please to take notice of it to my brother (the bearer hereof) to whom you may as safely impart any thing as to my self.

2. Sir, You will also please to encourage both my unkle and my brother, by owning their care and endeavors: it will not be lost.

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3. I know it will not be unpleasing to you to know how my little family here does. I have therefore desired my brother to wait on you, from what you may receive a perfect account of whatsoever you shall please to ask him. And by him I hope to heare your sweet lady, your self, and all yours are well."

1659, July 16.—John Mordaunt to the King. "1. I must dispatch this expresse to you with a sad heart; since I looke on all delayes as ruinous to your present businesse. But the reverence those you trust have for your person directs us humbly to represent to your Majestie the slow and incertain preparations of some here on whom you depend. Some miscarriage too has happened; which disturbs Mr. Popham. And Har[ry] Cromwell's base compliance, checks Sir George Boothe, who apprehends enemys from Ireland.

2. These particulars, without more, are of force to prevaile with Capt. Titus and me, to give your majestie this advertisement before you leave Bruxells. And, least by accident at sea or land this person mis-carry, either I or a fit person shall wait on you at Calais, to give your majestie a free and faithful account of the whole (the day your majestie first pleased to appoint) that you may not run an unnecessary risque at sea.

3. And if, in the mean time, these gentlemen will clearlye and frankly runn your fortune and come to some determinate resolution of a day, either the person I send to Callais, or my selfe, will come to Bruxells with all imaginable diligence, and wait on you back. There being nothing I desire more than to see a warre begunne being of opinion it can last no longer then to make your majestie appear as brave and wise as any prince, [who] ever ruled this unsteady people.

4. This hasty and ingenious account I hope your majestie will pardon, and accept it as the duty of Sir, your majesties most loyal and most faithful servant and subject Mordaunt.

I am glad I find the supplies transmitted and Mr. W. Mordaunt gone."

1659, December 30.—The King to John Mordaunt. "1. I writt to you two or three days since, which, it may be, may not come sooner to your hands than this. But having since seen a letter of yours to one whose name is not in the cypher, and who (tho' he be a very honest man) is not fit for all kinds of trust, I make all the hast I can (which I take to be one necessary part of kindness to you) to undeceive you in some particulars, which I perceive have given you trouble, and might well do so, as long as you give credit to the information.

2. But I do, in the first place, assure you, and not only for myself, but those about me that have been trusted by you (and who are as just to you as they ought to be, and as any can be whom you can trust) that we have only forborne saying anything to yourself, which you might well expect to heare, out of tenderness to you; which 665 expressed at large, with all my sense of your carriage to 247 if his letters have not miscarried. And, I do assure you, I have never heard any such discourse or censure as you mention, but, on the contrary, all men have exceedingly commended what you did, not without trouble that another very good man did not do the same. Therefore I must conjure you not only not to believe any reports of that kinde, but to look upon the reporters as persons who do not wish well to me or you, whatsoever they pretend. And I pray hearken not to any body who shall discourse

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with you upon my affaires, except you are sure they are trusted by me; which, upon my word, many are not, who pretend to much, and who would be thought to understand my business better than myself.

3. I was once moved in a particular concerning you, upon the desire of him who shewed me your letter; which I concluded was not by your desire, and so answered accordingly: tho', for the thing that was asked, I intend it you with all my heart.

4. I shall be glad to receive advice from you in all particulars. And what you do not write to myself, write to 665 or to 513, who are very faithful to you. I will add no more that that, if I am not very kind to you, I deserve no more such friends. Pray remember me very kindly to your wife. Charles R."

## THE STUART PAPERS.

### VOL. I.

f. 1. 1701. Copies of the wills and codicils of James II. and Queen Mary.

f. 7. Abstracts in Italian of the same.

f. 11. April 5, 1717. Ohlau [in Silesia]. Acknowledgment by Pelucchi in Italian of a blank paper signed and sealed by James [Louis], Prince of Poland and the Grand Duchy of Lithuania.

f. 12. Same date. Acknowledgment in Italian by Giono Pelucchi of a similar blank power from Constantine, brother of the preceding Prince.

At the foot is the acknowledgment of the receipt of a bill from the deceased Queen [Dowager of Poland] for 25,000 scudi.

f. 13. The blank powers above referred to. In addition are three blank papers signed, but not sealed, by Prince Constantine, and two others formerly in an envelope, endorsed—"Blancs signés par le Prince Constantin."

f. 27. Narrative in French entitled:—"Recit distinct et fidèle de l'évasion de S. A. R. Madame la Princesse Sobieski, et de quelques petits evenemens arrivés dans la voiage qu'elle fit de Inspruck à Bologne. Escrit par H. Gaydon, Major du Regiment d'Infanterie Irlandaise de Dillon. A Bologne le 9<sup>e</sup> May, 1719."

f. 55. A different narrative of the same events entitled:—"Relation exacte de l'arrêt, de l'évasion, et du mariage de la Princesse Clémentine Sobiesky, Reine d'Angleterre." It gives a copy of a letter from Secretary Stanhope to General St. Saphorin, dated at London, November 1718.

f. 75. Paper of accounts in French, relating to the property left by the late Queen Dowager of Poland, widow of King John Sobieski.

f. 79. Letter in French from the Comte de Shaffgotsch to M. le Chevalier Passarini, recounting a conversation with his Highness [Prince James Sobieski]. The latter had announced his intention of taking his daughters with him to Poland, in the event of the death of his wife. The Count then disclosed the orders he had received from his Majesty [the Emperor]. Endorsed in Italian—"Breslau (Breslau) the 28<sup>e</sup> of July 1722. Received the 29th by courier."

f. 81. Extract from the *London Gazette* in August 1722, giving an account of the death on August 10th, at Ohlau, in Silesia, of the Princess Hedwig Elizabeth wife of Prince James Sobieski, and mother of the wife of James III. (the old Pretender).

f. 83. September 5, 1722. Rome. Autograph letter in Italian of Pope Innocent XIII. to the wife of the old Pretender, then at the Baths of Lucca. Rejoices at hearing good reports of her health and of that of the Prince of Wales. LORD BRAYE'S  
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f. 85. July 5, 1723. A sermon in German by George Mocki, almoner and secretary of Prince James Louis Sobieski, delivered at the Church of the Château of Ohlau, being a panegyric on Her Most Serene Highness the Princess Maria Casimira Josepha Anna Theresia Carolina, the eldest daughter of the said prince, who had died on the previous 18th of May, and dedicated to her sister Maria Clementina, the wife of James III. At the end are six quatrains of Latin elegiacs, one on each name of the Princess.

f. 113. October 1723. Breslau. Legal opinion in German, addressed to His Royal Highness Prince [James Sobieski], advising him how he should proceed in order to make a valid will. Signed—Johannes Schwartz.

f. 117. February 20, 1726. Copy of a letter in French from the old Pretender to his wife. During the three months that she has spent in the convent of St<sup>e</sup> Cecile, she has had leisure to reflect on the consequences of her retreat, which is not only contrary to their mutual satisfaction, but injurious to their interests and the interests of their children. He has ever been anxious to please her in all matters that do not concern his honour and their common interests. Her continued retreat is opposed to the tenderness and affection which, he is sure, she has for him, and to the ordinary rules of prudence. She must have been persuaded to it by the intrigues of some discontented, factious, persons. She has never pressed for anything except the dismissal of the Earl of Inverness, and she has never explained her reason for distrusting him. The situation of Europe was and is very critical. The Earl had all his correspondence, and he had nobody capable of taking his place. Being sure of his capacity, fidelity and discretion, he could not dismiss him without ruinous consequences. He must have somebody to serve him, and if she had anything to urge against the Earl, she ought to have urged it before going into the convent. As to his own son, he desired to give him a governor personally known to himself and capable of watching over him. He fixed on Lord Dunbar the more readily because he was acceptable to her. Lord Dunbar did not seek the office, and he only took it in obedience. He has since heard that she does not approve of the appointment. She ought at least to have expressed her opinion on the question of appointing a person so esteemed by the King and so beloved by his subjects as the Duke of Ormond. Lord Dunbar has mentioned this as a very advantageous step in the present state of affairs. Lord Inverness is vexed at being considered the cause of their separation, and he is only restrained from resigning his duties by the King's express orders. He cannot imagine what other grievance she can have, and he urges her to follow the dictates of her own heart.

f. 119. June 27, 1726. Rome. Copy of another letter from the same to the same. After reproaching her for her conduct, he assures her that he will receive her with open arms, if she will return to her duty.

f. 120. September 17, 1726. Rome. Copy of another letter from the same to the same. (A translation of it is printed in Ellis's *Original Letters* 1st series, vol. iii., pp. 397, 398. The two letters which are there mentioned as having been written by the Pretender to

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his wife, are dated Nov<sup>r</sup> 9 and Nov<sup>r</sup> 11, 1725. See *The Memorial of the Chevalier de St. George.*)

f. 121. February 6, 1727. Legal document in Polish, addressed to the Secretary of Prince James Sobieski, apparently relating to the property of his deceased brother, Prince Constantine. Heraldic seal affixed.

f. 123. October 22, 1728. Lublin. Copy of an agreement in Latin between Prince James Sobieski and Princess Maria Josepha the widow of his brother Constantine. By the mediation of Elizabeth Sieniawska, Castellan of Cracow, Grand Duchess of the Kingdom of Poland, the Princess agreed to relinquish in favour of Prince James her rights to the property of Zolkiew, which had belonged to her husband, in consideration of 729,000 Polish florins, of which 229,000 were to be paid within a week after Martinmas next, and the balance secured on mortgage of two estates of the Prince as therein mentioned. Signed and sealed by the said Elizabeth Sieniawska, and by the commissaries of the two parties.

f. 129. August 31, 1731. Zolkiew. Document in Italian. The writer had, on the recommendation of the Queen Maria Clementina, been appointed by her father manager of his three manufactories of glass, iron, and tallow, by a diploma of August 12th, 1731, on condition that he should pay him a fixed sum of 6,400 Polish florins per annum. By this document, in which he expresses a hope that the Duke of York will inherit his grandfather's great possessions, which are sufficient to maintain a king, he pledges himself to render a regular yearly account.

Signed—De Ronchber (?), and sealed with heraldic seal.

f. 131. List in French of the legatees of the Queen Dowager of Poland, whose pensions for life, to begin on July 1st, 1722, had been settled by an instrument dated December 9th, 1721. It was drawn up after the death of Prince James Sobieski in 1737, and states which of the legatees were then alive and which were dead.

f. 133. February 1737. Deed of gift in Latin, by Prince James-Louis, described as "Regius Regni Poloniæ et Magni Ducatus Lithuanici Princeps, Bonorum et Fortalitiurum Zolkiewien, Zloczowien, Tarnopolien, Pomerganensium Dominus et Heres," to his grandsons, Princes Charles Edward and Henry, of the jewels he had pledged at Rome for 100,000 Roman crowns, including the Polish crown jewels which had been pledged to the house of Sobieski, and which he had in 1732 bequeathed to their mother. By the same deed he gives them the sums due to him from the Republic of Poland, and especially the 40,000 Rhenish florins advanced on the security of the Duchy of Ohlau. A life interest and a power of revocation are reserved to the donor. Dated "at our residence of Zolkiewiez in Russia" (the palatinate of that name in Poland), February 12th, 1737, and registered at the Court at Leopoldis (Lemberg) on the 15th. A notarial copy made at Rome from and compared with the original in the possession of James III. on Nov. 20th, 1739.

f. 135. Another copy of the same document.

f. 139. January 24, 1739. Palace of the SS. Apostoli at Rome. Deed of gift in Latin by Prince Charles Edward and Prince Henry the 400,000 Rhenish florins secured upon the Duchy of Ohlau to the Apostolic See. Witnessed by the prothonotaries Bolognetti and Acciajuoli, and by Thomas Sheridan, Hugh Dicconson, and Peter Martins. A true copy, certified by Gregorio Castellani, Secretary and Chancellor of the Apostolic Chamber.



f. 141. Same date. Copy of a deed in Latin, whereby the aforesaid Gregorio Castellani declares that, in his presence, the most illustrious and reverend Cardinal Sacripanti, Treasurer of the Pope and the Apostolic Chamber, with the Pope's approval, had appointed Paulucci, the Nuncio at the Emperor's Court, his Procurator to receive the 400,000 florins mentioned in the last document, and the revenues of the Duchy of Ohlau, till payment of the debt. Dated at the palace of Monte Citorio, Rome.

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f. 143. September 17, 1741. Paper in French, which, after mentioning the deed of gift of Feb. 12th, 1737, by Prince James Sobieski, his death in the following December, and the deed of gift by the Princes to the Holy See of the 400,000 florins secured on Ohlau, states that their reason for it was that they could not proceed to recover their rights at Vienna in their own names. When the Nuncio was on the point of taking possession, the changes in Silesia (the Prussian invasion) suspended everything. Endorsed in Italian:—"Short note on the affairs of Ohlau of Sept. 17th, 1741."

f. 145. 1741. Paper in French, stating the gift of the 400,000 florins secured on Ohlau to the Princes, the assignment of their interests to the Pope, and the adverse claim by the Duchess of Bouillon, daughter of Prince James Sobieski. The Chancery of Bohemia had decided in favour of the Nuncio, but 80,000 florins of rents were in arrear, which would increase while the appeal of the Duchess was pending. The Princes, or rather their father, propose that when the final decision is given in their favour these arrears shall be capitalized and added to the principal. Endorsed in Italian:—"Memoir on the affair of Ohlau, to be presented to his Royal Highness the Grand Duke of Tuscany, Duke of Lorraine, &c., and afterwards the Emperor Francis I., in 1741."

f. 149. December 22, 1742. Rome. Agreement in Italian between Prince Charles Edward and Henry Duke of York, approved by their father James, as to the division of the jewels and other property of their late mother, and also of the jewels comprised in the deed of gift by Prince James Sobieski of Feb. 12th, 1737, pledged at the Monte della Pietà at Rome for 100,000 scudi, and redeemed by them out of the proceeds of sale of their rights to his property in Poland.

1. The proceeds of the jewels comprised in the deed of gift which had already been sold to be equally divided between the Prince and Duke.
2. The Duke permits the Prince to have the use and custody of the crown jewels of the Republic of Poland pledged to the Sobieskis, namely, a great ruby, two large diamonds with their gold settings, and a small ruby ring, until they are redeemed or the right of redemption is barred, but in the former case the redemption money, and in the latter the jewels shall be equally divided between the brothers.
3. The remaining jewels, both those of their mother and their grandfather, to be divided between them, according to the schedule annexed.
4. Of the remaining effects of their mother, the Duke reserves a gold watch and chain, a silver toilet service, and a walnut wardrobe, and gives up the rest to his brother.

Signed—"Carlo P.," "Enrico," "Giacomo R." The schedule is also signed—"Carlo P.," "Enrico." Heraldic seals of James III. and his two sons affixed.

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f. 153. Memoir in French in support of the claims of the Prince de Turenne and his sister, the Duchesse de Montbazou, to a moiety of the 400,000 florins and the jewels. Reasons—i. That the Prince Charles Edward and Henry, having exercised their rights as heirs of their grandfather, were bound to bring the 400,000 florins and the jewels into hotchpot. ii. That the donation was null, not having been "insinuated," i.e. properly registered. iii. (applicable only to the 400,000 florins) that 300,000 of them were subject to the stipulations of the marriage contract of Prince James Sobieski. It appears incidentally that the Princes had sold all their rights in Poland and Lithuania, as heirs of their grandfather, to Prince Radziwill in September 1740, confirmed by an Act at Rome dated January 20th, 1741, for 800,000 Polish florins, of which 630,000 had been paid down to Francesco Lascaris, the Princes' agent. Undated, but later than January 1741.

f. 167. Paper in French endorsed—"Summary of the Affairs of Olau," consisting of three distinct parts. The first, written shortly after the end of 1741, deals solely with the claims of the House of Bouillon to share in the 400,000 florins secured on Ohlau. It appears that on Frederic the Great's invasion of Silesia the châteaux and contents were taken possession of by Gen. Kleist. The second part is entitled—"Reasons in support of the contention of the Royal Family of England against that of the Dukes of Bouillon." The third, written after the death of James III. and therefore after Jan. 1766, refers to the Polish crown jewels which had been pledged to the House of Sobieski and were comprised in the deed of gift of Feb. 12th, 1737 from Prince James Sobieski to his grandsons.

f. 175. Paper containing another copy of the second and third parts of the last, in reversed order. At the end of part three, there are some additions written in the same hand as the copies of the "Short Note" and "the Memoir on the affair of Ohlau" of 1741.

f. 183. April 26, 1754. Monte Citorio, Rome. Copy of deed in Latin in exactly the same form as the second deed of Jan. 24, 1735, in which Crivelli, the Nuncio at the Imperial Court, is appointed procurator for the same purposes as those for which the Nuncio Paulucci had been appointed.

f. 185. Copy of opinion in Latin in favour of the rights of the Stuart Princes to the jewels and the 400,000 florins included in the deed of gift of Feb. 12, 1737. Undated. Endorsed in Italian—"Reply of the Advocate Acqua to the case from France on the donation to Prince James of Poland to the Royal Princes of England."

f. 209. Translation in Italian of a writing, or memorial, presented in the name of the Prince de Turenne to His Royal Highness the Cardinal Duke of York by the Abbé Cojer (Coyer). According to (1.) The gift of the 12th Feb. 1737, confirmed by a second deed of the 10th July following, was a gift *inter vivos* and not a *donatio mortis causa*, and the donees, being *heredes* of the donor, were bound to bring into hotchpot what they received under these deeds. (2.) The gifts were themselves void, not having immediately been communicated to the donees.

f. 215. Opinion in Latin in favour of the claims of the Stuart Princes against the Bouillon family. Signed—Guaret. Undated. Endorsed in Italian:—"Responsio Juris to the writing, or memorial, in French (which the last document is a translation) presented by the Abbé Cojer (Coyer) to His Royal Highness the Cardinal Duke of York, in the name of the Prince de Turenne his cousin, with regard to the gift of jewels."

made by their grandfather, James Sobieski, to the Cardinal and his royal brother Charles Edward." LORD BRAYNE'S MSS.

f. 237. Opinion in Italian in favour of the Stuart claims against the Bouillon family. Unsigned and undated, perhaps that mentioned in the memoir of 1772 (?) as by Monsignor Petrucci.

f. 245. March 28, 1763. Vienna. Letter in Italian from the Abbé Giuseppe Bernardo Serravalle to a Cardinal [not the Cardinal of York]. The writer had been consulted on the rights of the Stuart Princes to the 400,000 florins comprised in the deed of Feb. 12, 1737, and the best means of proceeding to recover them. For the reasons he gives he considers that the Princes had best proceed directly themselves, and not through the Apostolic Chamber. The bearer was Stefano Bianchini, chocolate seller, of Milan.

Annexed are four minutes. The first is a report to James III. by his minister dated 1763, mentioning that the said Serravalle had been charged with the business in 1752, and advising the King to request the Pope to direct the Nuncio at Vienna to exert his influence. The next two are apparently a draft appointment of Serravalle as procurator at Vienna and a draft petition by the minister to the Pope asking him to order the Nuncio at Vienna to assist Serravalle, and the fourth a note by James approving of a letter of commendation being obtained.

f. 249. Copy of the will of "James III. King of Great Britain, &c." dated at Rome, November 21, 1760, and of a codicil thereto dated May 26, 1762.

f. 257. Abstract of the same in Italian.

f. 261. Extracts in French of the parts of the same relating to the rentes payable at the Hôtel de Ville at Paris, and various documents showing that the Cardinal Duke had ratified the provisions in question and renounced his rights to them in favour of his brother.

f. 267. June 2, 1766. Act of renunciation by the Cardinal Duke of his rights to the said rentes. Certified by the Chancellor of the French Consulate at Rome. Seal of the Consulate affixed.

f. 269. Three different drafts of a Latin Epitaph on James III.

f. 272. A series of papers in French, being extracts from the registers of the French rentes payable at the Hôtel de Ville de Paris and relating to the rentes belonging to the Stuart family.

The first, dated February 9, 1708, is a copy of the contract relating to the investment by the Queen Dowager of Poland of 240,000 livres in the loan authorised by the edict of December 1707, the principal of which was 5,000,000 livres. Each subscriber was to receive a perpetual annuity of 5 per cent. and in addition a life annuity of 5 per cent. She thus received a perpetual rente of 12,000 livres, and a life annuity of like amount, the life nominated being that of her son Prince Alexander. A memorandum follows stating that in 1720 the perpetual rente was reduced to 2½ per cent. on the capital, or 6,000 livres. On the death of the Queen Dowager, the capital was divided between her sons Prince Constantine and Prince James Sobieski, the former receiving 168,000 livres and the latter 72,000 livres, corresponding to rentes of 4,200 and 1,800 livres respectively. In September 1732, 200 livres of the first rente were sold, reducing it to 4,000.

The second consists of copies of entries in the register to the following effect:—

No. 1. That the said Prince Constantine became entitled on his mother's death to 12,000, subsequently reduced to 6,000 livres of rente, and that James III. is now entitled thereto by virtue of a transfer

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to his wife Maria Clementina from her father, who had become entitled thereto on his brother's death.

No. 2. That Prince Constantine was further entitled to the rent of 4,200 livres above mentioned.

That Prince James was entitled on his mother's death to 6,000 livres of rente.

That he was also entitled to the said 1,800 livres of rente.

And finally, that James III. was entitled in all to 8,325 livres of rente, namely to 4,000 out of the 4,200, 4,275 out of the 6,000, and 50 out of the 1,800 by virtue of a transfer made to him and his deceased wife.

These extracts are all dated at Paris, March 29, 1765.

No. 3. That Marie Josephe, Princess of Poland, Countess of Wex, widow of Prince Constantine, was entitled to 2,250 livres of rente, and that James III. was now entitled thereto by virtue of a transfer made to his wife by her father.

This extract is dated Paris, February 1, 1765.

The total rentes therefore to which James III. was entitled under these instruments were 16,575 livres.

The third paper is a document which, after reciting an edict of December 1764 consolidating all outstanding French loans into a 5 per cent. stock, certifies that Charles Edward being entitled to 4,000 livres of rente (being the 4,000 mentioned in the last paper), is entitled to the capital sum of 80,000 livres. Dated Paris, March 31st, 1767.

The fourth paper is in the same form as the first, and relates to the investment by M. de Tencin, then Archbishop of Embrun [afterwards Cardinal] of 150,000 livres producing 3,750 livres of rente in the  $2\frac{1}{2}$  per cent. loan of 2,500,000 livres issued by the royal Edict of June 1720.

The fifth contains declarations by M. de Tencin, dated December 31st, 1725, and March 8, 1726, to the effect that the investments of six sums of 150,000 livres each (of which that mentioned in the last paper was one) were made out of the moneys of James III., and that he had merely given the use of his name, and had no interest in the respective rentes.

The sixth paper is in the same form as the third, and certifies that Charles Edward being entitled to the 3,750 livres mentioned in the fourth paper is entitled to the capital sum of 150,000 livres. Dated September 20th, 1766.

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f. 1. March 15, 1771. Mesnil. Letter in English from Lord Caryll to Charles Edward. Narrates a conversation with the Duc de Noailles. "I have just received a letter from my agent in England who assures me that things are now so far advanced that he only expected my answer to put an end to this long depending affair. Regrets that new regulations of the French Posts will interfere with his procuring the public papers (from England).

f. 3. A number of scraps endorsed in Caryll's hand:—"Some memoranda or notes of no consequence found among the papers brought from Paris by the King." Among them are three pieces of paper with memoranda in Charles Edward's hand, one being a sketch of a note to the Duc de Fitz-James, and another as follows: "Monday morning 10 $\frac{1}{2}$ . The two houses by sea or land. The D. signing present. L. d. de F. [le duc de Fitz-James], and only Doun to be consulted before."

making any attempt far off. My sayin to Gros and his brother in trede (*sic*) the affair enjoining the secret, as also the sovereign of the place; a renewall of Carignian's proposition. The economy, as one does not even know if Gros[? the King of France] will guive funds, which would derange me very much; Ryan's writing immediately on or off. If on, wait for all things and what is desired to be done, in as little time as possible and come with it himself, to guive it in Mr. Gordon's name for a necessary security, and remain near or at Paris for the answer." There are also two notes in his hand both dated Monday September 9, [1771] to Mr. Gordon, the Principal of the Scotch College at Paris, and the Marquise d'Azil, Rue Neuve Lunembourg (Luxembourg) la seconde porte cochère du Coté du Boulevard, quartier Place Vendôme. There is also the card of the keeper of the hotel where Charles Edward stayed, "Didelot, Maître et Marchand Tailleur, Hôtel de Brunswick, Rue des Prouvaires, la 2<sup>de</sup> porte cochère à gauche, par la Rue St. Honoré."

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f. 8. Note in French (by the Marquis de Fitz-James), dated Thursday morning (Aug. 29, 1771) to the effect that his father could not come that day to Paris, but would probably do so on Sunday morning, while the writer went to Versailles to receive the answers expected.

fol. 9. Monday morning, September 2, 1771. Note in French from the Duc de Fitz-James to Mr. Stonor (Charles Edward) to the effect that he had arrived the previous evening from Versailles and would have the honour to wait with his son upon him at 10 that morning. Hopes he will excuse his being in country dress. Addressed "A Monsieur Monsieur Stonor, a l'hotel de Brunswick, Rue des Prouvaires."

f. 11. September 15, 1771. Paris. Copy of power to M. Ryan, Colonel of foot in the French service, Major in Berwick's regiment, to negotiate with the Prince of Salm-Kyrburg a marriage between his daughter Marie Louise Ferdinande, born Nov. 18, 1753, and Charles Edward. Signed:—"C.R."

f. 12. Same date and place. Copy of power to Ryan, in case his negotiations with the Prince of Salm prove unsuccessful, to effect a marriage between Charles Edward and any other Princess or Countess of the Empire, and for that purpose to go to Brussels, Cologne, Mannheim, or elsewhere. The Princess Marie Isabelle de Mansfeld, born August 29, 1750, is suggested as likely to be eligible. Signed as the last.

f. 13. Same date and place. Copy of a third power to Ryan to negotiate a marriage between Charles Edward and any Princess or Countess of the Empire whose rank, birth, age, and appearance would be suitable. Signed as the last.

f. 14. Two copies in French of the instructions to Ryan for negotiating a marriage with the Princess of Salm, one in the same hand as the last three powers, and the other in Caryll's hand. The last endorsed in his hand:—"Copy of Instructions left with Ryan concerning the marriage with the Princesse de Salm. N.B. They served after as his instructions for the treaty with the Princesse de Stolberg." They are in the form of questions and answers as to the position, residence, jointure, pin-money, household, and place of marriage of the future Queen.

f. 18. October 9, 1771. Mons.—Copy of a certificate in French of the death of the Prince de Stollberg [father of the Princess] at the battle of Lissa [Leuthen] on December 5, 1757, under the hand of officers who were present, with further certificates of the identity of the certifying officers. The copy was made March 26, 1772.

f. 20. Paper in French in the hand of the Marquis de Fitz-James. The King, intending to marry, can no longer remain in his present state;

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he ought to be treated as the late King his father; the integrity which he has voluntarily assumed can no longer continue; it is therefore necessary that his Highness the Cardinal Duke should communicate it to his Holiness as well as the fact that he has communicated to his Most Christian Majesty his intended marriage. At the same time his Holiness might be informed of the satisfactory manner in which his Most Christian Majesty has received the King's confidence, and of the pleasure he has manifested in seeing everything turn out according to his desires. It remains to add that the person charged with the negotiation of the King's marriage has had permission to say, if necessary, that his Most Christian Majesty has been informed of it, and at the same time to make it known that he is favourably inclined to supply the subsidies which have become absolutely necessary. Cardinal Mazarin has been informed of all this, and the greatest secrecy is earnestly recommended. Endorsed in Caryll's hand:—"1772, Instructions in the hand of the Marquis. Jan. Intended for the Duke."

f. 22. Another copy in the same hand, with the addition in Charles Edward's hand:—"Donè au Duc a Frascati le 21<sup>e</sup> Octo. 1771 . . .," the words after "Duc" being erased.

f. 23. Narrative in French by the Marquis de Fitz-James of the steps taken by Charles Edward before his marriage. He wrote to the Duc de Fitz-James for a passport to enable him to go to Paris. The Duke accordingly applied to the Duc d'Aiguillon for one in the name of Douglas. D'Aiguillon having consulted the King replied that none was necessary. Charles Edward, having been informed of this by the Duc de Fitz-James, started for Paris from Siena on August 18th (1771), under the name of Stonor. On his arrival, he charged the Duc de Fitz-James to inform the King of his arrival, to present his compliments to him, and to inform him through the Duc d'Aiguillon that the object of his journey was to forward a marriage he had in view, and to ask the King for his assistance in that matter, and in particular for permission to employ a colonel in his service, and to remind him that the subsidies granted to his late father, which had not been continued to himself, had become absolutely necessary now that he was thinking of marrying.

The Duc de Fitz-James performed his mission, and received the following reply:—"The marriage of the King would be agreeable to him. The necessary furloughs and passports would be immediately given to the colonel or to any other persons the King might require, and that they would endeavour by the intervention of the Duc de Fitz-James to settle the subsidies which the state of the finances had hitherto prevented them from arranging."

The Duc d'Aiguillon charged the Duc de Fitz-James to assure the King of his zeal and devotion and that he would have delivered to the person his master's reply, were it not for the secrecy the affair required. The King himself having declared that he wished to see no one, and to preserve the strictest incognito.

The King, satisfied with the reply of the King of France, with the interest he took in his affairs, and with the zeal of the Duc d'Aiguillon, immediately despatched the colonel charged with the negotiation of the marriage, having furnished him with all the necessary powers, and with answers to the questions which would be probably put to him.

There is every reason to hope for success if the King finds as much good-will and affection at the Court of Rome.

As the marriage is being arranged in concert with the Court of France, the colonel is authorised to apprise those whom it may concern

thereof, but under pledges of the greatest secrecy, his Most Christian Majesty not wishing to appear publicly to be informed of it.

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The King having declared that it was indispensable to apprise the Cardinal Duke, his Holiness, and Cardinal Marefoschi, of his agreement with France, he was permitted to do so, but with the utmost secrecy, and only verbally, without leaving anything in writing.

The subsidies now in course of being granted in France, prove how satisfied his Most Christian Majesty would be to see similar subsidies granted by the Courts of Rome and Madrid on the ratification of the marriage.

The King seeing his affairs about to be settled, and desiring to return to Rome to finish them there, has thought that the zeal and attachment of the Marquis de Fitz-James might be useful to him, and therefore his Most Christian Majesty has given the Marquis leave to accompany him, and has expressed his satisfaction at his doing so.

Annexed is a copy of the instructions to Ryan.

Endorsed in Caryll's hand :—" 1771.—Notes of the steps taken by the King previous to his marriage and the answer of the Court of France when inform'd of it and apply'd to for their assistance."

f. 27. Key to cipher in the hand of the Marquis de Fitz-James.

"Rome = canton.  
civitaveccia = peekin.  
livourne = tunkin.  
genes = tunis.  
turin = gibraltar.  
antibes = alger.  
toulon = tripoli.  
marseille = chipre.  
paris = nanci.  
bruxelles = toul.  
viterbe = luneville.

Ryan = edmond.  
d. fitzjames = mansfieldt.  
m. fitz-james = stuart.  
Salm = barton.  
daughter = speedy.  
pape = st paul.  
R. de france = le grand.  
R. d'espagne = durand.  
Card. duc = dickson.  
Card. Marefoichi = le monge.  
stonor = le blanc.  
Card. Bernis = le noir.  
d'aiguillon = le fils.  
d. pedro = le capitaine.  
Gordon = st andré.  
Moore = james.  
Ld. Caryll = smith.  
C. R. = douglas."

C h a r l e s b d f g i.  
K m n o p q t v x y z &c.

A part of the cipher containing the name of "Charles" and the remaining letters of the alphabet in their due order, was to be used by substituting letters in the lower line for those immediately above them, and *vice versa*. Thus C was to be used for K, M for H, A for N, and so on. Compare the Jacobite cipher given in the 10th *Report of the Historical MSS. Commission*. App. iv., p. 331.)

f. 28. November 6, 1771. Rome. Paper on which is written in French, in the hand of the Marquis de Fitz-James with a few interlineations in that of Charles Edward, a draft letter to Edmond [Ryan], and instructions to Stuart [the Marquis de Fitz-James.]

The letter acknowledges Ryan's of October 16, directs him to go to the Duc d'Aiguillon and point out it is indispensable he should make some positive statement about the subsidies, as the success of the negotiation depends on this, and the least delay may be most prejudicial. The Marquis de Fitz-James, who is returning to France, will assist him.

The instructions refer to the question of the subsidies. The person (Mad<sup>le</sup> de Salm) cannot pass through the States of the King of

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Sardinia. Her only route must be from Marseilles or Toulon direct to Civita Vecchia.

f. 29. Paper in French containing on one side the questions (M. Burton (the Prince of Salm, the proper names being according to cipher) and on the other the replies of Colonel Ryan. At the bottom Charles Edward's hand is written—"aprouvé et donnant en même temps Cart Blanche a Mr. Edmond (Ryan). Rome ce 11<sup>me</sup> Decem<sup>r</sup> 1771.

f. 31. Draft in Italian of an instrument to be executed by Charles Edward appointing N. his proxy to contract a marriage with N. Endorsed in Caryll's hand. "Sketch of powers proposed to be sent to Ryan but not sent. Jan. (1772)."

f. 32. Draft in French in Caryll's hand with some words added that of Charles Edward of an appointment of a proxy to contract marriage with the Princess of Stolberg.

f. 33. Copies in French in Caryll's hand of the several powers and letters sent from Rome by a courier on January 22, 1772.

1. Power to Ryan to conclude the marriage contract.

2. Note by the Cardinal Duke declaring his approval.

3. Form of the last as proposed by the King.

4. Power to Ryan with regard to the dowry and pin-money, and secret article relating thereto. Dowry to be 40,000 and pin-money 12,000 livres per annum.

5. Short letter from Charles Edward to the Duc de Fitz-James.

6. Letter from the same to the Marquis de Fitz-James. "I have already informed you that I have chosen the eldest of the sisters, and age is the most suitable for me, and what you have told me about the health of the younger confirms me in my resolution."

7. Letter from the same to Ryan, with full instructions about the contract and general arrangements, particularly as to the route of the Princess, which was to be from Brussels through the Turol by Trent to Bologna and thence by Ancona and Macerata to Viterbo where Charles was to meet her, and the marriage to be solemnized. If possible not to be made at Mantua. Letter enclosed for Mr. Conway there in case of necessity and also one for M. Angeletti at Bologna. Ryan to accompany the Princess.

8. Itinerary from Bologna to Macerata.

9. Letter from Caryll to the Marquis de Fitz-James about the contract expenses.

10. Letter from Charles Edward to Mr. Conway.

11. Letter from the same to M. Angeletti.

f. 39. Another copy of the above powers and letters, in a different hand.

f. 45. January 28, 1772. Original certificate in English under the hand of Mr. Stonor by virtue of the faculties granted by Cardinal Colonna, Vicar to the Pope. He has received the oath of "his Majesty Charles III." that he was at liberty to contract marriage. At the same time the said Cardinal granted his Majesty a dispensation of publication of banns. Signed:—Christopher Stonor. Seal affixed.

f. 47. Letter in Italian on the question whether a dispensation from the publication of banns was necessary: Advises Charles Edward to entrust the secret to M<sup>re</sup> Lascaris, who being a member of the Vicariate Tribunal, could obtain the dispensation secretly. Endorsed in Caryll's hand:—"1772, note from Cardinal M[arefoschi] about the dispensation of banns."

f. 49. Letter in Italian from Marefoschi to Caryll. Advises Charles Edward to show confidence in the Minister of State, and in no case



disgust the Sovereign of the country (the Pope), "whose sentiments cannot be doubted, though circumstances do not permit him to do as he pleases. Your conduct full of prudence and moderation could not fail to be praised by Princes, and would mortify to the utmost the enemies of the Royal House, who seek nothing but a rupture to remove the best props that your house could have, and to triumph as they did under the late Government." He also adds a warning against disgusting his Royal Highness (? the Cardinal of York), and explains that he is writing unofficially. Endorsed in Caryll's hand "1772, C. M.'s opinion in a note to me C."

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f. 51. Draft, or rather rough notes, in French in the handwriting of Charles Edward, with several alterations and mistakes in spelling, beginning "Memoire pour le C. M." (Cardinal Marefoschi.)

"A Blank dispensation is demanded giving power to celebrate a marriage by proxy without being obliged to have the banns published, to wit the form of such a proxy, and it is proposed to consult Mr. Stonor.—How I ought to keep my counsel (me contenir) in the presence of Mr. Dixon (the Cardinal of York).—Sketch of a letter of notification to his Holiness.—His Eminence the Cardinal Pallavicini, Secretary of State, is requested to present himself to the Pope as soon as he shall be able to lay for me before his feet [an erasure] and to inform him of the marriage I have agreed upon with the Princess, &c. I flatter myself that his Holiness will find it good that the Queen should come to Rome to reside with me.

Rome, The &c., &c.

C. R.

I believe it is not necessary to have a dispensation for a marriage by proxy, but one is demanded of me.—Memorandum for L<sup>d</sup> Caryll. (In English.) To C. M. (Card. Marefoschi) To tell him that I had forgot mentioning how he had been received by the C. Secretary of State as also he would be the proper person to deliver my Billet to the said Secretary of State and think L<sup>d</sup> Caryll the most proper person on all accounts."

On the back of the same sheet, in French, in Charles Edward's handwriting, "I shall point out to my proxy that no dispensation of Banns is necessary for the proxy, but that when I shall join the Princess in the Papal States, I shall bring with me everything that will be necessary to conclude (the marriage) effectively. M. Lascaris is a very proper person to be employed if they find it necessary at the time." Endorsed in Caryll's hand:—"1772, Instructions to L<sup>d</sup> Caryll."

f. 52. Memorandum in English in Caryll's hand:—"To tell the Cardinal that the King has no objection to employ M. Lascaris at the proper time if it prove necessary. That the King had forgot to mention how well I was received by the Secretary of State and to add that he has since been to see me, also that he mentioned the King by name of *his Majesty*. To show the Billet and desire his thoughts of it, that the K. intends to sign it at full length and seal it with his Arms, but to put no address to it, if the Card. judges it proper, and in the same size and form as he sees it, that he judges proper for me to deliver it into the Secretary's own hands without waiting any answer, and only staying till he shall have opened it. Desire the Cardinal's opinion as to everything concerning these matters." Endorsed in Caryll's hand:—"1772, Instructions to Lord Caryll."

f. 53. Paper in French, in Caryll's hand, requesting the opinion of Cardinal Marefoschi on a plan that had occurred to Charles Edward after sending the note of that morning, namely, instead of making his

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proposal to the Cardinal Secretary of State as he had at first resolved to notify his resolution in the forms annexed without asking or waiting for any answer, so as to spare the Pope the embarrassment of making one, and he would regard the Pope's silence as consent. Annexed are the forms in which Caryll is to communicate with the Cardinal Secretary of State and the Cardinal Duke. Only that the marriage was to be the Princess of Stolberg was to be mentioned, and the utmost secrecy requested till her arrival in the Papal States.

Below is Cardinal's Marefoschi's reply in Italian, to the effect that silence in the present case was equivalent to a tacit consent the Pope would do, but something more was necessary which he will explain better verbally. Endorsed :—" 1772. Instructions for Lord Caryll. Card. M's opinion."

f. 55. Paper in French in the hand of Charles Edward, endorsed in Caryll's hand :—" 1772. Notes sent by the King to Cardinal Marefoschi by my hand, C. Sometime in (erased) Janr." (Numerous mispellings, e.g. *palé* for *palais*, *cera* for *sera*, and occasional words illegible.)

"Since the election of this Pope I have voluntarily assumed an incognito in the perfect confidence which I felt that his Holiness would desire nothing better than to replace things in the position they ought to be, and his proceedings hitherto have shown clearly that I was not deceived. He has little by little hinted that it does not displease him that his subjects pay me the honour due to my birth, and the Cardinals, particularly Calini, Canale, Corsini, Borghese, and Orani, who have given me the title of Majesty. As for our friend Marefoschi, minister of the King of the Two Sicilies, the feudatory of the Pope, he has come and will come continually to our palace. Thus for an interval of laying a claim not being recognised, an expression which is used (?) and which I cannot admit, nor doubt that I shall be received like the late King's father as soon as I wish to lay aside the incognito in order to be in a position to be treated in the same manner as all the predecessors of the present Pope have done. It will be necessary for this purpose that Cardinal Marefoschi should be kind enough to accept the commission which I shall give him, namely, to present himself on my behalf to the Secretary of State, to ask for an immediate audience of the Pope as representing my person, to notify to him that the Queen has safely arrived in the States. I hope that his Holiness will excuse me for substituting another at this moment, but this proceeds from my eagerness to meet her, in that I may be the sooner in a position to present her myself. His Holiness, being quite certain that his Holiness will receive her in the same manner and with the same kindness that the late Queen was received by his predecessors, being particularly convinced of his feelings towards us. It may be seen in all this that I do not suspect, doubt and that I only speak of the Queen; it is for the Pope to rest, and Cardinal Marefoschi can hint to the Pope at a proper opportunity to send a guard to our palace of the SS. Apostoli at the arrival of the Queen, and have it there as in times past. At the same time should wish it to be composed of the Company of Avignon, and at her arrival I shall thank the officers while naming (with the permission of his Holiness) one of my gentlemen to command the troop consisting of 50 men as in the late King's time. It would be desirable that his Holiness should give orders for some furniture for the Queen's suite: the rooms are already prepared. Formerly the Chamber used to provide the furniture of the palace both at Rome and in the country. I wish also for the courier Ossolinski to go before the Queen. His Eminence sees clearly the reasons there are for his going himself."

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Pope on the arrival of the courier with news of the arrival (of the Queen), and not Lord Caryll, on account of the need there is of hinting all these matters which ought not to be understood to come from me and would be consequently too marked in his mouth. Who knows that the Pope has not also given me [the title] of Majesty on the two occasions I have already seen him and by all this the thing proceeds of itself, the Cardinals will come to see the Queen and me. We shall be on a sofa, as was the custom formerly, and everything will go on the same way and I shall be *cavaliere servente* to the Queen. As to complaisance, I pay no regard to my brother or to anyone else when the maintenance of the dignity due to me is concerned, and a low economy ought to be still less regarded on this occasion. The Queen is entitled to the same ceremonies as the King, and the Prince of Wales also, when there shall be one. The guard is offered to the Prince even in the greatest incognito, and I had when Prince of Wales at Gaeta, on my return from Naples, a guard of 50 men, an officer, and a flag. It will be proper to say to the Pope that one of the first conditions of the marriage was that the Queen should be treated like the late Queen, and that I should place myself on the same footing as the late King. The treatment at Leghorn, and the Dauphin at Paris were everything that could have been done, if I had been upon the throne. The late King also was frequently incognito, although with all his honours, so I do not know if what is intended is to annihilate me and make himself ridiculous." (This document must have been written shortly before the dated message of February 17.)

f. 57. Paper in English in Caryll's hand endorsed:—"Queries to Cardinal Marefoschi, February 17, 1772, and answers."

The first is that if the Cardinal declines to go to the Pope or the Cardinal Secretary of State with the first notice of the Queen's arrival, he is to be persuaded to go after Caryll has spoken. The fourth mentions the courier Ossolinski, while the sixth question and answer are—"If the King does not find them [guards in attendance] on his arrival he should not resent it, but may with great propriety apply for them some day after his return with the Queen, making use of an argument I (Caryll) proposed that there will now be more to be apprehended from the attempts of England when there is a prospect of succession." The seventh relates to the furniture for the Queen's suite.

f. 59. Draft note in French addressed "To his Majesty," stating that in the marriage negotiations his instructions have been literally followed, and only deviated from when absolutely necessary, or when the advocate of the Princess Mother had insisted on it. The instructions had only dealt with three points, the dowry, the allowance, and the jewels. Another difficulty was whether matters unprovided for by the marriage contract should be regulated by the law of Flanders, of France, or of Italy. The writer recommends it should be stated in the contract that such matters should be decided according to English law. A note approved by the Princess Mother is enclosed, relating to the manner in which the contract should be executed—whether before notaries, or privately. The last course is recommended among other reasons "because, if so, the English minister, if by any occurrence he had suspicions of the marriage, could not acquaint himself with the contract, as he could do if it were executed before notaries." Undated and unsigned.

f. 63. March 22. 1772. Paris. In the same hand as the last. Original certificate in French, certifying that the Princess of Stolberg is free and competent to contract a marriage. Signed by the Duc de Fitz-James, the

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Marquis de Fitz-James, the Duc de Berwick, and the Marquis de Jamaïque, whose seals are affixed.

f. 65. March 22, 1772. Paris. Settlement in French, in the same hand as the last, on the marriage between Charles Edward and the Princess of Stolberg, executed on the above date by Ryan and Betagh as the procurators of the Prince and the Princess and her mother respectively. At the foot are copies of the powers to the procurators from the respective principals. Below, in Caryll's hand, is a form of ratification by Charles Edward, sealed, but undated and unsigned. (See memorandum, f. 102.)

f. 67. Paper in French in Caryll's hand, being a true copy of a paper written in "his Majesty's hand, March 29, 1772." "The Cardinal [Cardinal de Bernis] should be informed that the Pope was informed through the Cardinal Duke as soon as I arrived from France that it was impossible for me to contract a marriage without one of the first articles relating to our being on the same footing as the late King and Queen at Rome, and I have succeeded by promising it. On all the articles being concluded, I communicated them to the Pope by the Cardinal Secretary of State, and informed him at the same time that his Holiness had already been acquainted with it some months before. The message was given by the Cardinal Secretary, and the answer was that his Holiness felt extreme pleasure at it, an evident sign of his approval. On the other hand the marriage has been contracted in concert with, and with the approval of, the King of France, by my agents, who will give an exact account of everything to the Duc d'Aiguillon, to be communicated to the King of France, so that he cannot be ignorant that one of the first articles was that I should place myself on the same footing as the late King, my father, and the Cardinal de Bernis has had orders to say to the Pope, if an occasion should present itself, that his Most Christian Majesty would agree to all that the Pope might do in my favour. I must observe that I should be wronging the Pope and myself were I to doubt for a moment that he would treat me and the Queen in the same manner and with the same attention as all his predecessors have acted towards the late King and Queen. Am I not equally entitled from the throne of my ancestors only for being a Catholic? Therefore I have only to acquaint his Holiness by Lord Caryll as soon as the Queen shall have arrived in the States, and on her arrival at Rome to send him again to the Cardinal Secretary of State, in order to impress on him our eagerness to render him our homage by placing ourselves on his feet after the example of the late King and Queen."

f. 68. Memorandum in English in Caryll's hand for the Cardinal. The necessity of the marriage being put in the public papers in that form.

The Princess Palestrini to be consulted by Thomasi after the King's departure, and her opinion acted on about the reception of the last. Thomasi and Carlini to receive the Cardinal's orders about the different spheres, furniture, &c.

Tell of the Duke's refusing the affair of the courier, and ask the Cardinal's opinion how to act.

Lopez to be on guard with his Avignoneses.

Desire him to apply for permissions for Lent as last year. This a good pretext to name the King, which he hopes the Cardinal will give of, if occasion offers. Q. if leave for forbidden books which the King keep under lock and key.

To send Fitzgerald on Wednesday about noon to me, that in case news by the post he may be informed, and desire he may bring

answer about the permission and the forbidden books if he has received it. LORD BRAYNE'S  
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 Endorsed:—"1772. Memoranda of instructions. March. To Lord Caryll."

f. 70. April 13, 1772. Instructions in French to Caryll, in Caryll's hand, desiring him to apprise the Secretary of State that the Princess of Stolberg has arrived, and that the King is just starting to bring her to Rome and present her to his Holiness. "The Pope must be informed that the King can no longer call himself Baron de Renfrew, one of the first articles of the marriage contract having been that he should place himself on the same footing as the late King, and that he does not doubt that his Holiness will show the same kindness to himself and the Queen as all his predecessors showed to the late King and Queen." Signed "C.R."

f. 72. Memoranda in French, in Caryll's hand, relating to the titles which should be given to the King and the Princess in the marriage register—his recognition as king by the Papal Court—the guards to be furnished to him—whether the Cardinal Duke should be told of the King's having changed his resolution as to where he should meet the new Queen—whether an extract of the register of the King's baptism will be required—the absolute necessity of the Pope's doing what he will do without delay, to show the world that the previous state of things was due to the mutual consent of the King and his Holiness—the King hopes that his marriage will be published in the first *Gazette de Rome* with his titles. Endorsed:—"1772. Instructions from the King in April to L. C."

f. 74. Fragment endorsed by Caryll:—"1772. Titles to be put in the Contract of marriage." In Charles Edward's hand "Carolus III. D.G. Mag. Bri. Fran. et Hiber. Rex Fideique Defensor. At present there is added before the 'Fideique' 'and of the Dependent Dominions.'" The last words are in Italian.

f. 75. April 18, 1772. Certificate in Latin of the marriage between "His Majesty Charles III., by the Grace of God King of Great Britain, France and Ireland, Defender of the Faith, and her Most Serene Highness Louisa Maximiliana Carolina Emanuella daughter of the deceased Gustavus Adolphus of Stolberg Guedern, Prince of the Holy Roman Empire, Count of Königstein, Roccafort, Vernigerode, and Hohenstein," celebrated on Good Friday, April 17, 1772, at 19 o'clock (about 2 p.m.) in the private chapel of the Palace of the de Compagnoni Marefoschi family at Macerata by the Bishop of Macerata and Tolentino.

At the foot is an Italian translation of the instrument appointing Colonel Ryan as representative of the Princess Dowager of Stolberg at the marriage, dated at Paris, March 27, 1772, and also a document in Latin from the priest of the parish of the Santi Apostoli at Rome empowering any priest appointed by the Bishop of Macerata to celebrate the marriage in his stead, dated at Rome, April 13, 1772. Seal of the Bishop of Macerata and Tolentino affixed.

f. 81. April 17, 1772. Macerata. French copy in Caryll's hand of the writing whereby the King secures to the Queen the payment of her jointure of 40,000 livres and her pin-money, the last being 15,000 livres per annum and not 10,000 as in the contract of March 26, Charles having made the increase on sight of the Princess. The original was delivered to the Queen by his Majesty himself after the marriage.

f. 83. Another copy of the same in a different hand.

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f. 84. Paper containing copies in Caryll's hand of several letters all dated at Macerata, April 17, 1772.

(1) In English, from Charles Edward to his brother, announcing his marriage.

(2) In French, from the same to Cardinal Marefoschi, addressed to M. le Grand, announcing his marriage and saying the Queen will be much mortified if she does not find the guards at the gate of the palace on her arrival.

(3) Instructions sent by the King's order to Count Tommasi, directing him to call on the Cardinal Secretary of State and request him to inform the Pope of the marriage, and that he was repairing with the utmost speed to Rome with the Queen, to be ready to present her to him the moment he should find it good.

(4.) Instructions from the same to the same, directing him to deliver the enclosed to Cardinal Marefoschi and to his brother respectively.

(5.) Letter in French to the same from Caryll, announcing by Charles Edward's order his marriage with the Princess of Stolberg. "The Queen, who is perfectly well after her long journey, has all the good qualities her most devoted subjects could wish her." The King orders Caryll to ask Tommasi to call upon Card. Marefoschi, as he also directs in the enclosed letter, which he is to show the Cardinal, and also to repeat to Tommasi what the King has told him verbally, that there is now no longer any Baron de Renfrew.

A postscript gives "the names of the King and Queen" as they were inscribed in the register, and requests Tommasi to tell Caryll's wife that he is well, and hopes soon to see her, and that she must be ready by Tuesday evening to be presented to their Majesties. It concludes: "The King has just given me the letter you will find addressed to M. le Grand, which is for Card. Marefoschi, to whom you will deliver it yourself. You should acquaint the Secretary of State with the contents of the letter, and show it, if he asks for it."

f. 86. Rough drafts of the last five letters and instructions.

f. 91. April 19, 1772. Macerata. Copies in Caryll's hand of his letters to the Duc de Fitz-James, in French, and Mr. Gordon, in English, both dated at Macerata, April 19, 1772, announcing the marriage, "which had been celebrated at this place the very day of her arrival, as such was the earnest desire of the Queen's friends, and the Bishop of the place yielded with pleasure to all that was required by the King." One of the three certificates of the marriage is enclosed to Gordon and placed among his archives, and he is requested to have proper notice of the marriage inserted in the *Gazettes* of Utrecht and Amsterdam.

f. 93. Rough drafts of the last two letters.

f. 95. Paper containing copies in French of letters from Prince Charles Edward to the King of France (1), the King of Spain (2), the Duc d'Aiguillon (3), the Marquis Grimaldi (4), the Marquis de St. Leonard (son of the eldest brother of the Duc de Fitz-James and younger brother of the Duc de Berwick) (5), and the Duc de Fitz-James (6), announcing his intended marriage with the Princess of Stolberg. (1) contains the following passage: "Your Majesty may feel at the same time that the loss of my kingdoms makes it impossible for me to sustain the rank to which my birth entitles me, without having subsidies sufficient to keep it up." (2) concludes thus: "Your Majesty must at the same time feel the necessity of the subsidies indispensable to keep up the dignity of a king who has lost his kingdom for the sake of religion." (3) was sent with (1) to request the Duke of

present it to the King of France. It asks that the King of France will use his influence with the King of Spain and the Court of Rome. (4) was similarly sent with (2) to request the Marquis to deliver it to the King of Spain. (5) was also sent with (2) and (4), copies of which were enclosed. The Marquis is requested to acquaint Charles Edward with the manner in which the King of Spain received his letter. With (6) were enclosed copies of the others which the Duke was asked to show to the Duc d'Aiguillon, but not to leave them with him.

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Endorsed :—"1772. Copies of letters sent to French and Spanish Courts on occasion of the King's marriage. N.B. These were according to the drafts left by the Marquis de Fitz-James when he went away from Rome."

f. 98. Paper beginning thus in French, in the hand of Charles Edward :—"Lord Caryll should call upon the Cardinal Secretary of State to request him to place me at the feet of his Holiness and notify to him the Queen's arrival here with me. Awaiting his orders. C. R. Rome this 22<sup>nd</sup> of April 1772."

Then in Caryll's hand, in English :—"The above was shewn by me according to the King's order to the Cardinal Secretary of State who returning one to the following purpose (*sic*) :—

(In French.) I have acquainted his Holiness with the arrival of the Baron de Renfrew and his wife, and he has commanded me to assure them that he will be very glad to receive them, but as he is now very busy, he wishes to defer it till he is less engaged than at present."

(In English) This is the purport but not the wording of the message which I cannot positively remember. The King on reading the above mentioned paper declared he could not receive it, and ordered me to take it to the Cardinal Marefoschi who might retain it or dispose of it as he judged proper. Caryll."

f. 100. Paper, in French, in Charles Edward's hand. "I was so shocked at the beginning of Canon Fitzgerald's communication that I did not perhaps give him time to say all that he had to say. The priest was waiting for me at my residence (à l'Hôtel) and I believed I would find him again after the Mass. I should have been myself this morning with le C. M. [Card. Marefoschi], but in order to make less scandal I sent Lord Caryll to inform his Eminence and to assure him that, notwithstanding the bad treatment of this Court, I should not abandon the friendship esteem and veneration which I shall always preserve for his Eminence, convinced that he could never have had any part in the evil; I could not have believed that the Pope would have wished to make an event tragical, for which every good Catholic ought to have given his services to make it splendid and agreeable. Did they wish to perpetuate the family of Hanover and to cut off the Legitimate Catholic race? Finally, did they wish to compel me to leave this country? How could they imagine that the Catholic Courts would not be scandalised and chilled by such proceedings? It is for the Pope to go before them, showing them a good and not a bad example. The sheep usually follow their shepherd, and it is his duty not to disgust them by showing a path of brambles and thorns."

Endorsed in Caryll's hand :—"1772, Message sent from the K. to C. Marefoschi concerning his opinion of the acknowledgment being to be refused."

f. 102. 1772 (?). Memorandum in French by Caryll. When the marriage contract had been read to the King in the form in which it

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had been executed by Ryan and Betagh, the King ordered him to add his ratification at the foot and seal it, in order that he might sign it himself, but though he had often requested the King and Queen to do so, they had always deferred it. A copy of the form of ratification is subjoined. (See fol. 65.)

f. 104. Extracts, in Caryll's hand, from a memoir in French concerning the rights of the Stuart princes as to the jewels and 400,000 florins comprised in the deed of gift of February 1737. It mentions the occupation of the Chateau of Ohlau by a Prussian general in the first Silesian war, and the burning of it and its contents, gives an account of the litigation between the Stuarts and the representatives of the House of Bouillon, and states that Austria contended that the King of Prussia was now responsible for the debt. It concludes by stating that the princes had appointed the Prince de Rohan, the French ambassador at Vienna, their agent with full powers, on Nov. 19, 1771, but that no information had been received from him, though Lord Caryll had written to him in August 1772.

Undated, but it appears in part 4 of the list of documents (Vol. III. fol. 268) as No. 9 and is there dated 1774.

f. 114. June 20, 1773. The Quirinal, Rome. Two drafts in Italian in different hands of a letter from the Cardinal Secretary of State to Monsignor de Lascaris, Patriarch of Jerusalem. If Madame Clementina Walkingshaw refuses to leave Rome, he must convince her of the uselessness of her resistance, and of the worse position she will consequently be in.

f. 116. June 24, 1773. The Quirinal, Rome. Two similar drafts of a letter in Italian from the same to the same about the same business. It mentions the greater opportunities for molestation the ladies would have in Rome, and refers to the wish of Miss Walkingshaw's daughter for removal from the convent at Meaux to one in Paris, and to the indifference of His Royal Highness and Eminence (the Cardinal Duke) as to the place of retirement of the unfortunate young lady, provided she remain always in a nunnery.

f. 118. Original letter in French, with envelope from Charlotte Stuart (natural daughter of Charles Edward) to M. de Lascaris. Acknowledges receipt of his letter. Thanks him "for all the trouble you have taken to soften a little my unhappy lot. I hope that his Eminence will not refuse my demand for changing my convent from Meaux to one in Paris." The intended route is from Genoa to Antibes, from Antibes to Aix, from Aix by Avignon to Lyons. She sends on the part of her mother "mille hommages." Signed:—"Charlotte Stuart." No place or date, but written in the summer of 1773. Seal on envelope.

f. 121. Note and envelope to the same in the same hand, but headed Madame La Comtesse d'Albestroff (Clementina Walkingshaw) requesting him to send her letters under cover to La Marquise d'Alberi at her residence in the Faubourg St. Germain. Same seal as last. A note on the envelope states erroneously that it is in the handwriting of the Princess of Stolberg.

f. 123. Paper with two draft testimonials in Latin in favour of two clergymen named Armineus (?) Francia and Dominicus Buttaoni (?). The first is dated in August 1774.

f. 124. Undated, but between July 13, 1761, the date of his appointment to Tusculum, and September 26, 1803, that of his translation to Ostia and Velletri. Draft testimonial by the Cardinal Duke in favour of the monks of the order of St. Basil at the monastery of S. Maria at Crypta (Grotta) Ferrata.



f. 126. A list in French of the documents handed over to Wm. Cowley, Prior of the English Benedictines in Paris, on April 26, 1777, by George Jean, Comte de Waters, banker, at Paris, in virtue of the letter of Charles Edward of April 4. They mostly relate to the French Rentes belonging to the Stuarts.

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f. 130. March 23, 25, 1783. Florence. Copy of the will and codicil of Charles Edward in Italian. The will appoints Charlotte Stuart, Duchess of Albany, then in the Convent of S. Marie at Paris, his heir, and leaves to John Stuart his major-domo and to his wife and sons a legacy of 100 Florentine scudi per mensem during their lives, and the right to inhabit an apartment in his Palace at Florence. The brothers Count Camillo and Canon Tommaso della Gherardesca are appointed executors. The codicil bequeaths annuities to his different servants. Sealed with the Royal Arms of England, France, Scotland, and Ireland.

f. 136. March 30, 1783. Florence. Copy of the Act of Legitimation, in Italian, of Charlotte Stuart by her father Charles Edward. Certified by M. Sémonin, chef du Dépôt des Affaires Etrangères, whose signature is verified by M. de Vergennes.

f. 140. September 18, 1783. Albano. Draft or copy of a letter from the Cardinal Duke of York to the King of Spain, in reply to one announcing that his daughter-in-law, the Princess of the Asturias, has been delivered of twins.

f. 142. April 3, 1784. Florence. Copy of the letter in French from Charles Edward, permitting his wife to live separate and apart from him at Rome, or wherever else she may think fit.

Certified to be a true copy of the original sent to the King of Sweden at Rome to be delivered to the Countess of Albany.

f. 144. September 21, 1784. Extract in French from the *Gazette de Leyde*, of that date, giving an account of the Duchess of Albany and the affairs of Charles Edward. It mentions that he complained to the King of Sweden that his brother, the Cardinal Duke, kept possession of the family diamonds, that the King on going to Rome requested him to restore them, but that the interposition of the Pope had been required to make him do so.

f. 145. Extract from the register of the Church of S. Maria ad fontes at Liège of the entry of the baptism of Charlotte Stuart on October 29, 1753, therein described as the daughter "nobilis domini Guillelmi Johnson et nobilis Dominæ Pit."

Dated October 20, 1784. A certificate below from the Prince Bishop of Liège, Duke of Bouillon, &c., that the extract was in the hand of the priest of the parish. The seals of the Church of S. Maria ad Fontes, and of the Prince Bishop of Liège are affixed.

f. 147. November 16, 1784. Florence. Copy of a letter in French from Charles Edward to the Pope. Thanks him for his letter to the Duchess of Albany, entreates his protection for her, and asks that he should grant her the reversion of his pension after his death. States that his father used to give her a pension of 12,000 francs, had paid all the expenses of her education, and placed her and her mother in a convent, and had charged the Cardinal Duke to continue the pension. Complains that after his father's death the Cardinal Duke had reduced the pension to 1,000 scudi, and now that she had come to live with him had discontinued it altogether.

f. 149. November 16, 1784. Versailles. Original letter with envelope in French from M. de Vergennes to "Myladi Stuart d'Albany," informing her that the King of France has granted her father "M. le Comte d'Albany" an annual pension of 60,000 livres,

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with a reversion in her favour on his death as to 10,000 livres thereof. The pension being charged on the Royal treasury, some confidential person should be appointed to receive it and give receipts for it at Paris. Seal on envelope.

f. 151. Suggestions, in French, for a medal in honour of the Duchess of Albany.

On one side her portrait with the legend—

“Charlotte, Duchesse d’Albanie, fille de Charles III., Roi de la Grande Bretagne, de France et d’Irlande, défenseur de la Foi,” or in Latin, “Carolina, Albanie Ducissa, filia Caroli III. Magnæ Britannie, Francie, et Hibernie Regis, Fidei defensoris.” For the reverse four different designs are given:—

i. Figure of Hope pointing to a crown placed on a map of England. Legend:—“*Spem juvat amplecti, quæ non juvat irrita semper.*”

ii. — The Princess herself, with her left arm resting on a scutcheon bearing the Stuart arms, to which she points with her right hand, and with her eyes fixed upon a throne. Legend—“*Spem etsi infinitam persequar.*”

iii. — Hope, holding a flower in her right hand, and leaning with the other on a scutcheon with the Stuart arms. Legend—“*Spes tamen es una.*”

iv. — A tempest-tost ship, nearing the English coast, whose flag bears the Stuart arms. Legend—“*Pendet Salus Spe exigua et extremâ.*”

f. 153. February 18, 1785. Two certificates in Latin of the deposit at the Archive Office and Chancery at Florence on the previous day of copies of two documents in French, the first attesting the deposit by Col. Ryan and M. de Betagh of the sealed copy of the contract of March 26, 1772, which was not to be opened without the authorization of one of the parties, and the second being a declaration made at Rome July 12, 1772, by Ryan, that he had acted only as the agent and made the deposit only on behalf of Charles Edward, and declaring that the latter is entitled to authorize the opening of the sealed packet.

f. 157. March 4, 1785. Copy of the marriage contract of Charles Edward and the Princess of Stolberg, of March 26, 1772, extracted and delivered to Colonel Ryan by M. Picquais the notary.

f. 163. March 11, 1785. Florence. Declaration in Italian by Charles Edward that Charlotte Stuart, created by him Duchess of Albany and legitimated with the approval of the Most Christian King, now living in his palace at Florence, was the same as the child of himself and Clementina Walkingshaw, born at Liège and baptized there under the name of Charlotte Johnson, she being his only daughter. He further declares that he never had any other children, and in particular none by the Princess of Stolberg. Signed:—“Charles R.”

f. 165. Same date. Original declaration in Italian by the same of the nullity of the obligations imposed on him by his marriage contract in favour of the Countess of Albany, not only by virtue of her renunciation, but also for whatever cause, although he had not named it for the sake of decency, and that this declaration should enure in favour of the person who should be his heiress. Same handwriting and signature as the last.

f. 167. A French translation of the last.

f. 169. March 21, 1785. Dunkirk. Letter in French from Caryll to the Duchess of Albany. Thanks her for his restoration to favour with her father. He has been endeavouring to establish the right of Charles Edward to the arrears of the dower of his grandmother Mary of

Modena. He suggests that the good offices of the Court of France should be solicited, especially as France has a right by treaty to demand payment of the arrears, which had been recognised both by William III. and Anne, and that they should direct their Ambassador to England to make representations to that effect. On receiving his full powers from Charles Edward, he would have at once proceeded to Paris, but had not the sum necessary for the journey. He therefore requests a small remittance. "There are in the present (British) cabinet persons suspected of being attached at heart to their legitimate Prince, and further I know for certain, that the Elector himself [George III.] has more than once declared that if the King [Charles Edward] were ever in distress it would be a real pleasure to him to assist him." Mentions the probable success of the Earl of Newburgh's petition for the restoration of his family estates, as a proof of the favourable disposition of the Government. Gives his reasons for desiring the cross of St. Andrew, notwithstanding his life of retirement at Dunkirk. Refutes the arguments against its being granted. Mentions incidentally that the Marquis of Seaforth was his uncle.

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f. 173. June 22, 1785. Florence. Original document in Italian whereby Charles Edward revokes and declares null the letter of April 17, 1772, whereby he had charged the jointure and pin-money of the Princess of Stolberg upon the first subsidies he might receive and had increased the latter to 15,000 francs. Sealed and signed :—"Charles Comte d'Albanie." At foot is a certificate under seal from the Comte de Durfort, French Minister Plenipotentiary at Florence, that the notary who has signed the act is such as he is therein described.

f. 175. Copy of a memorial in Italian from the Cardinal Duke to the Pope. Refers to some circumstances attending the legitimization of the Duchess of Albany as being offensive towards him. He has however been won over by the young lady's disposition. Through her intervention, his brother had written a letter of reconciliation to him. Mentions Charles Edward's letter to the French Foreign Minister complaining of the conduct of his wife, referring to "lo scandalo col Conte Alfieri," and to her journey to Baden to rejoin him there, and requesting that the French Court should stop the pension granted to her. The letter had been drawn in the names of Charles Edward and the Cardinal Duke, and had been signed by both. One of the principal causes of disunion between the brothers had been the supposition of Charles Edward that his wife was protected by the Cardinal Duke. Gives a summary of a letter of his sister-in-law to him, who represents herself as in despair at not hearing from him, assures him of her attachment to him, &c., excusing her conduct in various points with regard to which it had never been impeached, but saying not one word about Alfieri. Hears that she is afraid her jointure may according to French law turn out to be invalid, no particular property of Charles Edward having been specifically charged with it. Fears also she may lose her French pension in case of war. She will too late repent of her conduct, which has brought upon her universal disapprobation.

Unsigned and undated, but probably written in 1785.

f. 181. January 23, 1786. Rome. Copy of the registration in Latin of the deed of donation in Italian dated January 18, 1786, by Charles Edward and the Cardinal Duke of certain jewels to the Duchess of Albany.

f. 185. Opinion in French and Italian on the question whether the covenants relating to the payment of the Princess of Stolberg's

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jointure and pin-money were satisfied by the pension of 60,000 francs granted by the King of France. The writer is of opinion that they were, but, that, if possible, a declaration should be obtained from the King that he had granted the pension in consideration of her marriage with Charles Edward, and to relieve him of the obligations he had undertaken. Unsigned and undated.

f. 191. Draft memorial in French to be addressed by Charles Edward to the King of France, requesting him to make such a declaration as is suggested in the foregoing opinion. Unsigned and undated.

f. 193. Undated. Florence. Draft in Italian of a full power from Charles Edward to the advocate Vulpian to settle every question relating to the jointure of the Princess of Stolberg, under certain conditions. The fourth is that the agreement shall contain an absolute release and discharge of all claims and demands whatsoever apart from the stipulations therein so that "we Charles Edward and the said Princess of Stolberg may be considered for all civil purposes, as if we were totally strangers to each other, and that it shall be declared in the same instrument that we have not, and never have had any issue by the said Princess of Stolberg." The object of entering into the agreement is stated to be "to assure for the future fully and finally the tranquillity of ourselves and those connected with us, with which object we have adopted this system of conciliation, which for many reasons we have hitherto been induced to reject."

f. 195. September 27, 1786. Rome. Original power in French executed by Charles Edward before the Chancellor of the French Consulate at Rome to M. Busoni, empowering him, in presence of or acting with the advice of Mons. J. B. Vulpian, to execute along with the Countess of Albany or her representative the agreement whereof a draft is subjoined. Signed:—"Charles Comte d'Albanie" Seal of French Consulate at Rome affixed; executed in duplicate. The draft agreement after reciting the securing of the jointure of 40,000, and the pin-money of 12,000 livres by the marriage contract upon the first subsidies received by Charles Edward, the letter of April 17, 1772, the letter of separation of April 3, 1784, the grant by Louis XVI. of a pension of 60,000 francs to the Countess of Albany and of the same sum to Charles Edward, and the claim of the Countess to the jointure of 40,000 secured by the contract in addition to the pension of 60,000 francs, whereas her husband contended that the contract had been satisfied by the grant of the pension, witnesses that the Countess agreed to accept a reduced jointure of 20,000 livres charged on all the property of her husband, and redeemable at any time after a year from his decease at her option for 200,000 livres. Signed as the power.

f. 199. A draft of the said power and agreement.

f. 205. March 10, 1788. Versailles. Letter in French, with envelope, from the Comte de Montmorin to the Duchess of Albany condoling with her on her father's death and informing her that the king of France would increase her reversionary pension of 10,000 to 20,000 livres. Envelope sealed with seal of French Foreign Office.

f. 208. April 5, 1788. List in French of the letters and papers belonging to the House of Stuart deposited at the English Benedictine Monastery in Paris. Signed by Wm. Cowley.

f. 209. July 22, 1788. List of silver plate, to the value of 3,467 scudi, received from the Duchess of Albany by Tommaso Zapporini silversmith.

f. 211. September 30, 1788. Copy of a document, partly in Latin and partly in Italian, executed by the Cardinal of York, by which, after

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reciting that after his father's death he had allowed his brother Charles Edward the sole enjoyment of three rentes of 6,000, 500, and 2,250 livres respectively payable at the Hotel de Ville de Paris, he granted to his niece Charlotte Stuart, Duchess of Albany, to enjoy the same rentes in the same way as his brother had enjoyed them. Extracted by Francesco Gritti of Tusculum, notary public, from the archives of the Roman curia.

f. 213. Calculation, in French, of the income and expenditure of the Duchess of Albany after her father's death. A list is given of the pensions payable under Charles Edward's will, of the household of the duchess, and of the pensions she had to pay. Among them is one of 3,000 scudi to "une personne à Paris" (her mother) one of 100 to Lord Nairne and one of 400 to the Countess of Norton. It appears that she had to pay 4,000 scudi a year to the Countess of Albany, and received 11,000 from her uncle the Cardinal.

f. 215. Accounts, all except the last, in Spanish, relating to the Spanish pensions of the Cardinal of York, consisting of five parts.

The first is a summary of all the receipts from February 15th, 1765, to December 31st, 1788, amounting in all to 15,333,775·3 reals vellon. In addition 222,500 R<sup>s</sup> V<sup>a</sup> the proceeds of previous years had been remitted to Rome in 1789 by bills of exchange and 13,584 in Tobacco and Chocolate by order of the Cardinal.

The second is a detailed account of the revenue derived from each source. It appears by it that the Cardinal had pensions charged on the bishoprics of Jaen, Cordova, Malaga, Segovia and the prebends of Chinchilla, Moron, Heurta de Olmos, Jaca, Hermedes, Puerto de Santa Maria, Seville, Utrera and Mexico.

The third gives the sum received yearly from each bishopric and the fourth that from each prebend.

The fifth and last is a note in Italian of the payments made by the Cardinal for the administration of his Spanish revenues.

A memorandum in Italian in the Cardinal's hand (?) estimates the yield of the pensions and prebends together for 1787 at 19,840 scudi.

f. 236. Copy of the will and codicil, in Italian, of the Duchess of Albany, made at Bologna, November 14, 1789. Seal of the Archbishop of Bologna affixed.

f. 244 and 247. February 15, 1790. July 18, 1791. Paris. Two original letters in French from Clementine Walkin[g]shaw (Countess D'Albestroff) to the Cardinal of York, written after the death of her daughter the Duchess of Albany. Both are addressed:—"A sa Majesté le Roy D'Angleterre, a Rome." Original envelopes with seals.

f. 250. Account in Italian showing how the sum of 223, 536.63, the proceeds of the sale to the Duke of San Clemente of Charles Edward's palace at Florence had been disposed of. After January 30th, 1790.

f. 252. March 1, 1790. Paris. Letter in French from MM. Busoni and Co. to M. Waters, stating that M<sup>r</sup> Barker, the Prior of the English Benedictines in Paris, had placed in their hands two diamonds weighing 22 and 18 carats for the Cardinal Duke.

f. 254. March 12, 1791. Marennes. Letter in French from M. Lortie Dumaine, enclosed in the following. After apologising for his delay from illness in sending the accounts, he states that all salt dues whether belonging to the King or to Seigneurs had been suppressed by the decree of May 16th, 1790. Since April 1st salt has been free. M. de Richelieu and many other seigneurs are in the same position as the King of England's representative, and demand from the National Assembly repayment of the sums they had paid for their rights, but

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as the King of England's pension was a present from Louis XVI. doubts if his Royal Highness will be allowed an indemnity.

f. 255. May 16, 1791. Paris. Letter in Italian from MM. Busoni and Company to Louis Giammarile at Rome. After acknowledging his letter of the 27th ult. with an order from the Cardinal Duke of York to hold 60,000 livres at the disposition of the Marquis Jean Belloni, they enclose the foregoing letter. Have received the remittances mentioned and have credited them to the accounts of the Duchess of Albany and the Cardinal Duke as directed.

Enclosed are accounts signed Lortie Dumaine of the sums received by him in 1788, 1789, and the first three months of 1790 on account of the salt dues of the Duchess of Albany amounting in all to 19,961.10.11 livres, from which were deducted vingtièmes and expenses amounting to 2,462.11.6 livres.

f. 259. July 18, 1791. Paris. Letter from MM. Busoni & Co. to Louis Giammarile, mentioning their payment of 50,000 livres to the Countess d'Albestroff.

f. 262. July 26, 1791. Paris. Receipt in Italian for the 50,000 livres paid to her by MM. Busoni and Co. on account of the Cardinal Duke. Signed:—"Clementine Walkin[g]shaw, Comtesse d'Albestroff." An act of attestation by a notary is added.

f. 267. August 4, 1791. Rome. Draft note in Italian mentioning the arrival of the Countess' receipt, and referring to Busoni's letter about the diamonds. Unsigned.

f. 268. August 8, 1791. Letter in Italian from Louis Giammarile. Has received letters from Busoni giving the state of the capital of the Royal Highness producing a net annual revenue of 45,490 livres. Refers also to letter of July 18.

f. 270. Copy of memorial in Italian addressed by the Cardinal Duke to the Pope praying for a declaration that the inventory of the effects of the Duchess of Albany drawn up by her executor should be held to be lawful notwithstanding any technical objections to it.

The reply endorsed on it is dated July 14, 1791.

f. 272. Appointment by the Cardinal Duke of York as heir of the Duchess of Albany, of the Abbé Giuseppe Luigi Flaviani as his procurator for the purpose of concluding the sale to Signor Michele Maselli of the jewels therein described, the property of the late Duchess for the sum of 7,600 scudi to be paid by instalments. Signed—"Enrico Cardinale." (Undated, but written in 1792.)

f. 274. April 4, 1792. Rome. The act of sale, in Italian, in pursuance of the last powers.

f. 276. Account in Italian showing the payments made by Massimiliano and the interest on the unpaid balance carried down to Decr. 1793.

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f. 1. February 1, 1794. Alost. Letter in French from D. Lescailler, Grand Prior of Anchin, to the Cardinal Duke. Refers to the sufferings of himself and his monks in consequence of the French Revolution. Deprecates the distraints which he has to the Cardinal Duke intends to levy by means of the Comte de W. Serrant on the property of the Abbey in the Netherlands, to enable him to pay his share, a measure which has already been taken as to the property of the abbey of St. Amand. Has sent two of his monks to the Nuncio at Brussels to request his mediation.

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f. 5. February 2, 1794. Brussels. Note in French from M. de Limon to the Nuncio at Brussels, stating that he had forwarded to the Comte de Walsh the letter of the Cardinal Duke. Had been appointed to act for the Comte during his absence in London, and in particular to consent to the removal of the sequestration, provided that the monks would give at least a general account.

f. 7. Monday, February 3, [1794]. Letter in French, in the hand of the Duchess of Fitz-James, to the Cardinal of York. Acknowledges a letter of January 21st. M. de Seran (Walsh) had on his departure left his powers and instructions with M. de Limon. Assures him of her devotion. If he has not heard from her for four months, her letters must have been lost. Postscript. Has seen the Nuncio since she wrote.

f. 9. February 4, 1794. Brussels. Letter in French from M. de Limon to the Cardinal Duke enclosing a copy of that of the Comte de Walsh, dated January 31st. Remarks that the monks seem to be intriguing with the Nuncio.

f. 13. January 31, [1794]. London. The copy referred to in the last in French from the Comte de Walsh-Serrant to M. de Limon. He defends the active steps he had taken to put an end to the monks' delays, and bring matters to a conclusion. As general news, he mentions that the bishop of Autun [Talleyrand] has been positively ordered to leave the country, and a report that M. Mack [afterwards capitulator of Ulm] has just arrived to settle the plan of the campaign.

f. 17. February 4, 1794. Brussels. Letter in Italian from the Nuncio at Brussels (Cæsar, Archbishop of Nisibis *in partibus*) to the Cardinal Duke, on the affairs of the Abbeys of St. Amand and Anchin. Mentions that the Duchess of Fitz-James was then at Brussels. Seal of arms.

f. 22. Same date. A second letter from the same to the same, enclosing a letter from the Duchess [of Fitz-James], which she had asked him to forward, and also one from M. de Limon. He likewise encloses a copy of the letters of January 31, with his marginal observations.

f. 24. Letter in French to the Nuncio from M. de Limon, being that enclosed in the last, enclosing a copy of that of January 31st, and requesting him to forward to the Cardinal Duke his letters of the same date. There are some observations in Italian by the Nuncio, addressed to the Cardinal Duke in the margin of the letter and inclosure.

f. 26. Letter in French from the Duchess of Fitz-James to the Cardinal Duke. Has just returned from Paris. Has not succeeded about her affairs. Her husband exceedingly ill. (Undated, but probably written from Brussels early in 1794.)

f. 28. February 18, 1794. Rome. Letter in Italian sending a swift reply to the letter of M. Lescailler of the 1st instant for the Cardinal Duke's approval. Makes various suggestions for his reply to the Nuncio's letters of the 4th instant. Unsigned.

f. 29. The draft answer in French referred to in the last. Announces that the sequestration on the property of the abbey will be removed. It is necessary for him to have an agent at Brussels.

f. 31. Feb. 21, 1794. Letter in Italian from the Nuncio to the Cardinal Duke, on the affairs of St. Amand and Anchin. His reasons for delay. Disapproves of M. de Limon. Encloses a copy of the accounts of St. Amand, and a complaint of the monks of Anchin relating to waste committed in their woods. The inclosures mentioned in the last,

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f. 35. (1.) February 17, 1794. Alost. Letter in French from Louis Brunion, monk of Anchin, to Monseigneur [the Nuncio at Brussels] complaining of the waste committed in the woods of Cambray, asking him to remonstrate with the Government at Brussels.

f. 37. (2.) A fragment of an unsigned and undated memorial on the same subject as the last. Endorsed in Italian—"Original memorial of the monks of Anchin."

f. 39. (3.) February 20, 1794. Detailed account of the revenues, profits, and also of the charges and outgoings, of the property of the Abbey of St. Amand, in the Netherlands, and in the part of Flanders conquered by the allies, from which it appears that the net revenue was 50,191 livres, but that much of it was derived from uncertain sources and was difficult to collect. Signed:—Philippe Devienne.

f. 47. February 27, 1794. London. Letter in French from the Comte de Walsh to the Cardinal Duke. The Count fears that the Count has been prejudicing him against him. The Nuncio from the month of August last had in his letters to Rome appeared to be engaged in the defence of the Abbey of St. Amand, but the Count found, on his arrival at Brussels on the 8th of October, that he had done nothing. The Count immediately went to the abbey, and his letter from Tournay had informed the Cardinal of the monks' insubordinate tone and of their plan for gaining time. The Nuncio on the Count's return paralysed his proceedings, and since then he has defended himself. Will return to Brussels in a fortnight. Signed:—

f. 50. March 2, 1794. St. Amand. Letter in French from the Secretary of the Chapter of St. Amand, on behalf of the superior monks, to the Nuncio at Brussels. After mentioning his request that they should make an offer to the Cardinal Duke, they offer for the year 20,000 livres, and ask for his good offices on their behalf.

f. 52. March 4, 1794. Note in French from M. de Limont to the Nuncio, forwarding the letter of February 27th from the Comte de Walsh to the Cardinal of York, and mentioning that the writer was at his then address on the 15th of this month.

f. 54. March 18, 1794. Brussels. Letter in French from the Comte de Walsh to the Cardinal Duke. Mentions the arrival of the Emperor at Brussels on the 9th, and the steps he had since taken and his reasons for them. Has not time to copy the memorial he had sent up to Count Trauttmansdorff, but will send it by the next post. Signed:—

f. 57. Copy of the long memorial in French referred to in the last, addressed to Count Trauttmansdorff, Privy Councillor and Minister of State of his Majesty the Emperor and King, Chancellor of the Netherlands, by the Comte de Walsh-Serrant, as procurator of the Cardinal Duke for everything concerning the abbeys of St. Amand and St. Amand. It sets forth the special circumstances distinguishing the case of the Cardinal Duke for relief against the sequestration of the abbey situated in Flanders of the French abbeys from those of the other sufferers from the same sequestration. His exceptional position prevents any favour shown him being used as a precedent by others.

f. 59. December 19, 1795. Penna. Letter in English from the Countess Norton to the Cardinal Duke, thanking him for his assistance to her.

f. 61. October 29, 1799. Grosvenor Street. Extract from a letter from Sir John Cox Hoppisley, Bart., to Andrew Stuart, Esq., M.P. He writes:



a letter from Cardinal Borgia, setting forth the present poverty of the Cardinal of York. In such a case the relief is not to be decorously sought in the liberality of private individuals, although many who have witnessed the acts of princely benevolence of the Cardinal would doubtless press forward to alleviate his sufferings. Cardinal Borgia is allowed to be a prelate of great probity, intelligence, and urbanity, and his palace was the resort of all lovers of science and virtue. The late Pope, anticipating the calamities that soon after befel him, appointed Cardinal Borgia President of the Congregation to whom the whole authority of the See was delegated. His Eminence probably recollects that the writer, during his last residence in Rome, was in correspondence with His Majesty's Ministers on subjects of considerable importance to both states, and knows that his proper resort is to the highest authority in the nation.

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Appended is a memorandum that the original of this letter, with that of Mr. Stuart to Mr. Secretary Dundas, and additional observations by Sir John Cox Hippisley were transmitted to the King by Mr. Pitt. "Sir J. C. H. had the pleasure to receive letters from the Duke of Portland, Lord Chatham, Lord Spencer, and Mr. Secretary Windham (all Ministers of State), strongly expressing their satisfaction in acquiescing in any measure that could offer relief to the illustrious and venerable Cardinal of York. It was sufficient that the knowledge of his sufferings should reach the Throne, to assure both sympathy and relief. Mr. Pitt, Mr. Secretary Dundas, and the Lord Chancellor, also expressed to Sir John Hippisley the extreme pleasure they felt in recommending the measure to the royal consideration."

f. 64. October 30, 1799. Lower Grosvenor Street. Extract of a letter from Andrew Stuart, Esq., M.P., to Mr. Secretary Dundas. He encloses a letter from Cardinal Borgia to Sir John Hippisley, dated the 11th of September, from Padua, where Cardinal York then was with the other Cardinals for the election of a Pope. He also encloses a letter from Sir John Hippesley. While at Rome, he was informed of the very heavy losses the Cardinal sustained from the French Revolution, amounting to no less than 48,000 crowns annually. At a later period, the largest parts of his valuable jewels were sacrificed amid the contributions levied by the French.

f. 67. January 20, 1800. London. Letter from Thomas Coutts to the Cardinal Duke of York. The Cardinal will remember to have seen at Frascati in 1790, a Mr. Coutts and his wife and three daughters. The eldest daughter is now married to the Earl of Guildford, and the second to Sir Francis Burdett, whose family has been much attached to the House of Stuart as late as 1745 and since. "The third is unmarried and living with her mother and me, and remembers the distinguished honour she received at Frascati, when you put on her finger with your own royal hand the ring which King Charles wore at his coronation. On my return to England, giving an account of what I had seen abroad to his Majesty King George the Third, I did not omit (*sic*) a particular detail of the honours I had received at Frascati, and of the uncommon politeness as well as the elegant and princely manner in which they were conferred. Neither did I fail to notice the very handsome and most liberal terms in which your sentiments of his character were expressed. I had also the honour of showing at that time to his Majesty the silver medal given to me with so much condescension at Frascati. He questioned me on the likeness, said he was much pleased to have seen it, imply'd that few he supposed would have mentioned the subject to him, but that they were much mistaken

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who imagined he did not very sincerely regard the family of the  
who were worthy of all good men's attention, were it only for their  
fortune. He was so good [as] to receive and accept from me with  
own hand the medal I had the honour to receive from yours" "I  
long been acknowledged his banker, and I have also transacted  
business of all his royal sons, and have from them all received  
most flattering marks of approbation. . . . My remaining ambition  
ambition is to be the hand by which the benevolence of Britain  
the best of men shall be conveyed to the last of that illustrious  
the rightful former sovereigns of Scotland, England, and Ireland  
lies with you to make the choice. Two words from you to ap-  
tation Lord Minto, to Mr. Pitt, or to Lord Grenville, my friends  
Dundas, or to the Lord Chancellor, my schoolfellow, would settle  
matter.

f. 69. A duplicate of the last letter.

f. 72. Two pieces of paper with the name and address of Mr.  
Coutts. Two are in the Cardinal Duke's hand.

f. 74. February 9, 1800. Vienna. Letter in French from L.  
Minto to the Cardinal of York. He has received orders from the  
King of Great Britain to remit to his Eminence the sum of 20,000.  
(Printed, but not quite accurately, in Jesse's *Memorials of the Pre-  
tenders*, vol. ii., p. 159.)

f. 79. Letter of same date from the same to the same in French.  
Recommends Mr. Oakley, who has undertaken to be the bearer of  
the last, and assures the Cardinal that if he has any observations to  
make on the details, he can safely do so through him.

A note is enclosed advising the Cardinal how he should draw the  
money placed to his credit at Coutts'.

f. 82. Draft, or copy, in English, of the Cardinal's answer express-  
ing his gratitude. (Printed in Ewald's *Life and Times of Prince  
Charles Stuart*, vol. ii., p. 340.)

f. 84. March 15, 1800. Vienna. Letter from Lord Minto to Mr.  
Oakley, expressing his satisfaction at the manner in which he has per-  
formed his mission.

f. 87. Draft, or copy, of a letter in English from the Cardinal Duke  
to Sir J. C. Hippisley, expressing his gratitude. (In the hand of  
Father Connolly, of San Clemente, Rome. Undated, but probably  
written about this time. Perhaps that referred to as of February 20th  
in the next.)

f. 89. March 31, 1800. Letter from Sir J. C. Hippisley to the  
Cardinal Duke. (Printed in Jesse's *Memorials of the Pretenders*,  
vol. ii., p. 162.)

f. 91. April 15, 1800. Grosvenor Street. Copy of a letter  
Italian (or a translation of one) from Sir J. C. Hippisley to the  
Cardinal Duke, enclosing a note to Sig. Patrick Moir, English banker  
at Rome. Refers to the mode of drawing the allowance, and also to  
temporary advance of 5000*l.* made by the writer's bankers.

f. 93. The note enclosed in the last of the same date advises Mr.  
Moir, that 2,000*l.* will be credited at Coutts' to the Cardinal Duke in  
middle of the following July, and requests Mr. Moir to assist him  
case he wishes to draw part of it previously.

f. 95. April 23, 1800. Draft, or copy, of note in Italian to  
Coutts, acknowledging his letter in duplicate of January 20.

f. 97. Same date. Draft, or copy, of letter in Italian to  
Andrew Stuart from the Cardinal Duke, thanking him for his services.

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f. 99. July 6, 1800. Draft, or copy, in the hand of Father Connolly, of a letter from the Cardinal of York to Sir J. C. Hippisley. Has returned to Rome on June 25th. He is actually in greater distress than he was in some months ago, for on going southwards he has been informed of the devastation of his residences at Rome and Frascati. He would like to be able to draw upon a banker, half-yearly.

f. 101. August 20, 1800. Grosvenor Street. Letter from Sir J. C. Hippisley to the Cardinal of York. He suggests that the Cardinal should in his next letter mention the loss of the Italian "Luogi di Monti" etc., not so much for the satisfaction of his Majesty, as for that of the minister of finance. He hopes that the Cardinal will support the reform which Pius VI. considered so reasonable, that of national superiors [of the English, Irish, and Scotch Colleges at Rome]. If it is not confirmed, the English Ministers will be greatly dissatisfied. The Pope, in a letter to him of the 10th of May last, expressed his wish to show the same favourable sentiments towards England as distinguished his predecessor. Ministers have requested him to draw up a memoir on the subject of the Catholics of Ireland, arrangements for whom will soon be brought forward.

f. 103. August 2, 1800. London. Letter from Andrew Stuart to the Cardinal Duke, apologising for his delay, caused by bad health in replying to the Cardinal's letter of April 23rd, and referring to his *Genealogical History of the Stuarts*. (Enclosed in the last.)

f. 105. October 17, 1800. Frascati. Draft, or copy, in the hand of Father Connolly, of a letter in English from the Cardinal Duke to Sir J. C. Hippisley. Conscience, inclination, honour and obligation alike require him to use all possible endeavours, where there is a question of his nation and country as in the affair of the national colleges.

f. 107. October 21, 1800. Frascati. Draft, or copy, in the same hand of a letter from the same to the same, mentioning that he had enclosed in the last a copy of his letter of July 6th, which had not reached Sir J. C. Hippisley, and enclosing another copy thereof, and also one of the last letter.

f. 109. December 5, 1800. Grosvenor Street. Letter from Sir J. C. Hippisley to the Cardinal Duke, acknowledging the last two letters, and also that of July 6th. Advises him to draw at once on Messrs. Coutts for 2,000*l.*, with a letter of advice stating it is for the half yearly payment, which he understood was settled to be drawn at their house. Seal of arms.

f. 111. January 8, 1801. Rome. Copy of a receipt from Cardinal York for 2,000*l.*, the allowance for the first half of 1801.

f. 112. February 10, 1801. London. Letter from Sir J. C. Hippisley to the Cardinal Duke. Announces "the extraordinary change in our administration, Lord Grenville, Lord Spencer, Lord Camden, Mr. Pitt, Mr. Dundas and Mr. Windham having resigned their places as cabinet ministers, differing in opinion with the King on the subject of the Roman Catholic measures proposed by them to be adopted in favour of the subjects of that Communion. The King considers the *extent* of those measures as militating against his Coronation Oath, but has avowed every sentiment of conviction of the merits of those who seek further extension of their privileges. The Duke of Portland now at the head of the Administration has ever been a fast friend of the Catholics." Hopes that Rome will not consider this as any *hostile* act against her. Difficult position of the Duke of Portland on account of the Dissenters, and of his position as Chancellor of the University of Oxford. Requests the Cardinal to communicate these facts to the

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Cardinal Secretary of State, such events being always liable to interpretation. Will arrange the Cardinal's business with the Duke of Portland to his entire satisfaction. Announces his intended marriage to a friend of his late wife, "having paid the tribute of 18 months mourning." Requests the Cardinal to convey his thanks to the Pope for his favourable intention with regard to the national colleges. It will be an excellent argument in support of Mr. Pitt's opinion.

*Postscript.*—He has just heard that the Duke of Portland prefers to remain Secretary of State, but he will settle the Cardinal's business equally well with Mr. Addington if he takes the Treasury.

f. 115. An Italian translation of part of the last letter (in Father Connolly's hand).

f. 117. March 30, 1801. Downing Street. Copy of a letter from Lord Hawkesbury, Secretary of State for the Foreign Department, to Sir J. C. Hippisley, announcing that care will be taken that future payments of the allowance to the Cardinal of York shall be regularly made.

f. 119. An Italian translation of the last letter.

f. 121. April 7, 1801. Grosvenor Street. Letter from Sir J. C. Hippisley to the Cardinal Duke, enclosing the above copy of the letter of Lord Hawkesbury, to whom he had transmitted the correspondence relating to the allowance, and assuring the Cardinal that he will always take care of "that delicate and important business" in any future change of ministers.

f. 123. May 11, 1801. Copy, in Father Connolly's hand, of the reply of the Cardinal to the last letter, thanking Sir John for his services, and referring to the affair of the national colleges.

f. 125. June 1, 1801. Grosvenor Street. Sir J. C. Hippisley to the Cardinal Duke, enclosing another copy of Lord Hawkesbury's letter. Mentions the death of Mr. Andrew Stuart.

f. 127. Copy of a letter [from the Cardinal Duke to Lord Minto, probably written in the spring of 1801. Refers to the letter received from him at Venice about this time last year. His situation is worse if possible than it was a twelvemonth ago.

f. 130. November 2, 1802. Florence. Autograph letter in French from the Countess of Albany, acknowledging the receipt from the Cardinal Duke of 1,000 scudi, in full discharge of all arrears up to September 30th, 1802, and, in consideration of his written promise to pay her in future 1,000 scudi quarterly, releasing all other claims and demands.

f. 132. January 3, 1803. Frascati. Copy, in Father Connolly's hand, of a letter in English from the Cardinal Duke to Messrs. Coutts, stating that he has committed the entire management of his domestic economy to Monseigneur Angelo Cesarini, Bishop of Milevi, whom he has authorised to draw on him for the allowance.

f. 134. January 6, 1803. Frascati. Draft letter in Italian from the Bishop of Milevi to Messrs. Coutts, announcing that he has been authorised to draw the pension, and referring to the arrangements for remitting it.

f. 136. Same date. Draft in Italian of the appointment of the Bishop by the Cardinal Duke, and an Italian translation of the letter, the 3rd.

f. 140. January 30, [1803]. Lyons. Letter from Cardinal Feltre (maternal uncle of Napoleon Buonaparte) to the Cardinal Duke, thanking him for his letter of congratulation on his elevation to the Cardinalate, and also for his having employed his interest in his favour.

f. 142. February 4, 1803. The Strand, London. Letter from Mr. Coutts to the Cardinal Duke, stating that he has received the Christmas half-year of the allowance, and that he has used every means in his power to obtain an addition to the allowance, but hitherto without success. LORD BRAYE'S  
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f. 144. February 11, 1803. London. Letter in French from Messrs. Coutts to the Bishop of Milevi, acknowledging his letter and enclosures of January 6th, and stating that they have accordingly opened an account in his name to which they have credited the 2,000*l.* received for the half-year ended on January 5th. They decline to charge any commission for their services.

f. 147. March 2, May 8, June 18, 1803. Drafts in Italian of three letters from the Bishop of Milevi to Messrs. Coutts, advising them that he has drawn on them in favour of Mr. Alexander Sloane.

f. 150. July 5, 1803. Draft receipt in Italian by the Bishop of Milevi to Messrs. Coutts for the allowance of the first six months of 1803.

f. 151. August 2, September 15, November 5, 1803. December 24, 1804 [3]. Two drafts in Italian, and two drafts or copies in French, of business letters from the Bishop of Milevi to Messrs. Coutts.

f. 156. Copy of receipt enclosed in the last for the first six months of 1804.

f. 157. January 13, February 10, June 12, April 17, June 16, 1804. Three business letters from Messrs. Coutts to the Bishop of Milevi, with copies of two replies of the Bishop.

f. 166. July 5, 1804. Copy of receipt enclosed in the last letter for the last six months of 1804.

f. 167. September 14, 1804. Rome. Copy of a letter from the Bishop of Milevi to Messrs. Coutts, announcing Mr. Sloane's failure, and that he will consequently in future draw upon them in favour of M. Joseph Aquari.

f. 168. December 15, 1804. Rome. Copy of a letter from the same to Mr. Coutts, enclosing the Cardinal Duke's receipt for the allowance for the first six months of 1805, and mentioning certain drafts. He entreats him to use his good offices with the Court to procure an increase of the allowance, without which the Cardinal will find himself much embarrassed, and refers to the loss of his subsidies from France since 1790.

f. 170. 1804. Two drafts in Latin of an inscription to be placed on a nunnery of which Henrietta Cesarini was abbess, commemorating the bounty of the Cardinal Duke in discharging its debts.

f. 173. 1804. Draft in Latin of an inscription commemorating the munificence of the Cardinal Duke in removing a seminary which was unhealthy in summer from malaria, and re-erecting it on a more healthy site.

f. 175. Draft decree in Italian by the Cardinal Duke, directed to be published by every parson in his dioceses of Ostia and Velletri relating to the education of the clergy at the seminary at Velletri. Undated, but later than September 26, 1803, the date of his translation to Ostia and Velletri.

f. 176. February 1, 1805. London. Letter from Messrs. Coutts to the Bishop of Milevi. Concludes with assuring him that they will make representations with regard to the last part of his letter in the proper quarter, but holding out no hopes of success in consequence of the bad circumstances of the times.

f. 178. March 9, 1805. Copy of a business letter from the Bishop to Messrs. Coutts.

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f. 180. June 8, 1805. Copy of a letter from the same to the same. After referring to some business, he again hopes they will be able to procure some increase in the allowance. Assures them that the Cardinal's firmness in refusing to apply for assistance elsewhere is surprising at the age of 80.

f. 184. July 19, 1805. Reply to the last letter.

f. 186. September 11, 1805. Paris. Original letter in French from Edward, Duke of Fitz-James, to his Majesty the Cardinal of York, announcing the death of his father.

f. 188. October 3, 1805. Frascati. Copy of the answer thereto.

f. 189. September 21, December 1, 1805, March 1, March 4, 1806. Drafts of three business letters from the Bishop of Milevi to Messrs. Coutts, and the reply of Messrs. Coutts to the first two.

f. 196. April 8, 1806. S. Clemente, Rome. Letter in Italian from Father Conolly to the Bishop of Milevi. He had the honour three years before to present at Frascati young Lord Althorp to his Highness, who had received him most graciously, and promised to send him one of his medals. Lord Althorp not having received it before his departure requested Father Conolly to forward it to him in England. On the recent change of Ministry on Mr. Pitt's death, Lord Althorp has been appointed a Lord of the Treasury, and his father, Lord Spencer, Home Secretary. He is convinced that they will be much gratified, if in the letter of congratulation which he is writing to Lord Althorp, he can inform him that he has received the medal for him. He therefore requests that it may be sent.

f. 198. June 4, August 27, October 24, August 1, 1806. Three business letters from the Bishop of Milevi to Messrs. Coutts, and answer of Messrs. Coutts to the letters of March 1 and 4.

f. 206. Copies of the receipts for the allowance payable July 5, 1806, and January 5, 1806.

f. 208. October 15, 1806. Frascati. Draft letter in Italian from the Bishop of Milevi to Prince Augustus [Duke of Sussex]. Has lately heard of him through Mr. Fagan who has been at Frascati. The Cardinal Duke has directed him to write and present his compliments to him. The Cardinal Duke is as well as his age of 82 permits. His circumstances would be much reduced but for the generosity of the Royal Family, which he attributes in great measure to the Duke's influence. The writer will ever preserve a grateful recollection of the attention shown him by the Duke during his stay in those parts.

f. 209. February 28, July 11, May 8, 1807. Drafts of two business letters from the Bishop of Milevi to Messrs. Coutts, with their reply to the first.

f. 214. March 28, 1807. Lisbon. Letter in Italian from Monsignor Caleppi, the Nuncio at Lisbon, to the Bishop of Milevi. Thanks him for charging him with the commission of forwarding the letter of February 28 to Messrs. Coutts.

f. 216. Account in Italian of the post mortem examination of the remains of the Cardinal Duke of York made at Rocca del Tuscolo, on the evening of July 14th, 1807, by Giuseppe Gegeo.

f. 218. July 18, 1807. Rome. Copy of a letter in French from the Bishop of Milevi to Messrs. Coutts announcing the death of the Cardinal on July 13th at two hours of the night [between 9 and 10 p.m.].

f. 219. July 21, [1807]. Letter in French from the Countess of Albany to the Bishop of Milevi. Condoles with him on the separation after a friendship of 40 years. Approves that the Cardinal Duke appointed him his executor. Cannot express how sensible she is of the

Cardinal Duke's remembrance of her; is confident that her jointure will be paid regularly. Signed:—"Louise de Stolberg, C. d'Albany."

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f. 221. August 25, 1807. Duplicate of a letter in French dated August 21, 1807, from Messrs. Coutts to the Bishop of Milevi, expressing their regret at the death of the Cardinal Duke, and stating there was now standing to the credit of the Bishop of Milevi 1,999*l.* 3*s.* 0*d.* At the end is added a letter acknowledging the Bishop's of October 24, 1806, which has just arrived.

f. 223. August 30, 1807. Rome. Draft of a letter in Italian from the Bishop of Milevi to the Prince of Wales. Refers to his intimacy for more than 38 years with the deceased Cardinal Duke, as placing him in a position to testify to the sentiments of gratitude felt by the Cardinal towards the English Royal Family for their assistance, and his desire to show them some mark of it. Among the property left by the Cardinal the only objects he has found which can deserve the acceptance of the Prince are the Cross of St. Andrew set with diamonds, which had been worn by King Charles I., and a ring set with a ruby engraved with a cross, which he had often heard from the Cardinal was placed on the finger of the Kings of Scotland at their Coronation. These he desires to offer the Prince, and requests him to indicate some safe means for transmitting them.

f. 225. Another draft of the same, differing in some respects, in which the cross is said to have been worn by James I. and James II.

f. 227. French translations of the drafts.

f. 231. Same date. Copy of a letter from the Bishop to Messrs. Coutts, requesting them to forward the enclosed letter to the Prince of Wales, and mentioning that the Cardinal Duke wished to leave them as a legacy (blank) which he will send them on the first opportunity.

f. 233. Same date. Draft letter in Italian from the Bishop to Monsignor Caleppi, the Nuncio at Lisbon, enclosing the packet for Messrs. Coutts, which he requests him to forward on the first opportunity. Mentions that the Cardinal Duke has left him a small legacy.

f. 234. October 10, 1807. Lisbon. Reply of the Nuncio to the last letter. Has forwarded the packet and has also written as requested to Prince Augustus [the Duke of Sussex], asking him to use his influence to procure the continuance for at least a year of the pensions enjoyed by the Cardinal Duke.

f. 236. Friday, November 13, [1807]. Letter in French from the Countess of Albany to the Bishop of Milevi. Acknowledges the receipt of the presents left her by the Cardinal of York and of the picture he had chosen for her, which she considers is better than any work of the same painter at Florence. Thanks the Bishop for having her cipher placed on the watch left her by the Cardinal. She would have been satisfied had she been left only a pin as a remembrance. Was sure that the Bishop would not have delayed sending her her legacy without excellent reasons. Signed and addressed as the letter of July 21st, but directed "a Frascati."

f. 238. November 14, 1807. Ston Easton, Somerset. Letter in French from Sir J. C. Hippisley to the Bishop of Milevi, expressing his regret at the news of the death of the Cardinal Duke. Encloses a copy of a letter from the Prince of Wales in reply to that of August 30. The Prince directs him to express "the profound respect which he will always preserve for the memory of the late Cardinal Duke, and the

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great pleasure the presents will give him, which the friendship of Royal Highness had destined for him." The Prince has charged the Bishop to place them in the hands of his brother-in-law, M. Orsi, through M. Orsi, banker at Florence, who will find a good opportunity to forward them to England. The King has ordered to acquaint the Countess of Albany of his intention to allow her a pension of 1,600*l.* a year for her life. Has received a second letter from the Secretary of the Prince of Wales, charging him to express the above stated sentiments of the Prince.

The enclosure is from Colonel J. McMahon, M.P., Private Secretary of the Prince, to Sir J. C. Hippisley, and is dated at Carlton House, November 10th, forwarding the letters of the Bishop of Milevi requesting him to take such steps as may be proper and necessary for the Prince to observe on the occasion, as H.R.H. invests him with full powers to act for him in this business and to receive whatever the Cardinal York may have desired to be given to H.R.H.

f. 240. An Italian translation of the last letter and enclosure.

f. 242. Draft or copy in Italian of the answer to the last. H.R.H. not known where Sir J. C. Hippisley was, he would have communicated to him the death of the Cardinal Duke, and forwarded through him the letters to the Prince of Wales, but being informed he had been appointed Governor of some part of India he has sent them through Messrs. Orsi. Is gratified that the Prince has charged Sir John with the transmission of the gifts to England. Will send them to Florence as soon as the first safe opportunity. At present it would be dangerous, as the roads are closed and Tuscany is entirely in the hands of the French. Is glad to hear that the King has granted the pension to the Countess of Albany, but points out that she already has 4,000 scudi a year, which absorbs almost all the proceeds of the assets of the Cardinal Duke, so that his own dependents cannot have their pay during her life. Unsigned and undated, but written early in 1808.)

f. 244. November 29, 1807. Frascati. Letter from the Bishop of Milevi to the Minister D. Antonio Vargas. Assures him he will search as requested for any papers that may be interesting to the Duchess of Berwick, but reminds him that owing to the quantity of documents it will require time to go through them all.

f. 246. November 30, 1807. Rome. Draft letter from the Bishop of Milevi to Monsignor Caleppi, in answer to his letter of October 10. Thanks him for writing "al noto personaggio" [the Duke of Sussex]. The only cause for his importunity is his wish to provide for the Cardinal Duke's poor household.

f. 248. January 2, 1808. Rome. Draft letter in Italian from the Bishop of Milevi to the Countess of Albany. Has received through Cardinal Consalvi the letter of Sir J. C. Hippisley, and congratulated her on the pension granted her by the King, and hopes she will have many years to enjoy it. Hopes she will again visit these parts. Her villa will be always at her disposal.

f. 249. January 26, [1808]. The answer to the last. "I thank you with all my heart for your interest in me. I was sure that I would have been gratified at the favour the King of England has granted me. I find that you have done well in having sent to the Prince of Wales the Order of St. Andrew. In your whole behaviour since the death of my brother-in-law, you have shown yourself worthy



his confidence, and that he could have not have made a better choice." Hopes at her next journey to Rome to visit him at his hermitage at Frascati. Signed, addressed, and directed as the letter of November 13. Seal of arms.

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f. 251. July 6, 1808. Rome. Draft copy of a letter in a mixture of French and Italian from the Bishop of Milevi to Messrs. Coutts, stating that he has not yet drawn the 1,000*l.* remaining to his credit from the difficulty of finding buyers of letters of exchange on London. Mentions that he has a legacy for Mr. Coutts and one for Sir John Hippisley, which he is waiting for an opportunity to send.

f. 253. Another draft of the same letter written the previous April.

f. 255. September 22, 1808. Reply of Messrs. Coutts. After the business part of the letter, they enquire what the legacy is.

f. 257. September 1, 1808. Draft of another reply of the Bishop of Milevi to Sir J. C. Hippisley's letter of November 14th, written because he doubted whether the first had reached him. Refers to the legacies left to Sir John by the Cardinal Duke, viz., a Plutarch in two volumes folio, a MS. with miniatures, and a gold medal, and the veil of Mary Stuart. Had forgotten in his grief that the best way of sending them was through M. Cicciporci. Refers to the pension granted to the Countess of Albany, and suggests it would be worthy of the generosity of the King of England, to make some provision for the household, amounting to 56 persons, of the Cardinal Duke, as his assets are swallowed up by the charges on them, and they have nothing to depend on except what may have been due at his death from his Spanish benefices. His importunity is due only to his desire that some assistance may be given to the poor household, and to his wish to erect a monument in St. Peter's, where the Cardinal Duke and his father and brother are buried. Asks Sir John to press his request on the Prince of Wales, whenever he may have a favourable opportunity. Forwarded by the agent of the Nuncio at Lisbon.

(The Plutarch, which is a fine copy of the first Latin edition printed by Ulric Han, probably in 1470, (a copy of the same edition is in Lord Spencer's library, see *Bibliotheca Spenceriana*, ii. 376), the veil, and the medal are now in the possession of J. Fortescue Horner, Esq., of Mells Park, Frome, a maternal descendant of Sir John Hippisley.)

f. 261. December 19, 1808. Rome. Draft of another reply in the same terms as the last, to be forwarded through MM. Busoni & Co. to Messrs. Coutts.

f. 263. January 28, 1809. Rome. Draft letter in French from the Bishop of Milevi to Messrs. Coutts, acknowledging their letter of September 22, 1808, and advising them that he has drawn bills upon them for the balance at his credit. The legacy is a gold enamelled snuff-box, on the lid of which is a portrait of the Cardinal Duke, with a border of Oriental pearls, an etui à voyage, two small porcelain vases set with gold, and a gold medal of James II. Has informed Sir John Hippisley of the particulars of his legacy.

f. 265. March 1, 1809. Rome. Draft letter in Italian from the Bishop of Milevi to Sir J. C. Hippisley. Renews his application on behalf of the Cardinal Duke's household, and intreats that at least a temporary allowance of 1,000*l.* may be granted them during the life of the Countess of Albany.

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f. 267. Extract from will and codicil of Tiburzio Turi Muscellaro bequeathing a dowry of 30 scudi (reduced to 20 by codicil), to be given yearly on the day of his death to a poor girl Muscellaro, to be nominated by the Marquis Valerio di Sanacore and his descendants. Italian. Undated.

f. 268. List, in Italian, of the documents, some originals and some copies, relative to the interests in Poland of the Royal house of Saxony.

The latest dated document is assigned to 1774, but, as a copy of the will of the Cardinal Duke of York is mentioned, the list was apparently compiled after his death.

### THE MANUSCRIPTS OF B. R. T. BALFOUR, ESQ., OF TOWNLEY HALL, DROGHEDA.

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DURING a recent visit to Ireland I came across the following documents at Townley Hall, near Drogheda:—

A small 4<sup>o</sup> volume of 173 pages of paper, bound in red morocco, containing private devotions, meditations, and other notes, in the hand of King James the Second. It was bought at Rome in 1842, together with some Jacobite relics, from the Marchese Sigismondo Malatesta, nephew and heir of Bishop Cesarini, who formerly had all the personal effects of Cardinal York. Some extracts from this volume have been already printed in the "*Life of James the Second*," edited by J. S. Clarke, but I have made a few others which seem to possess some historical interest. In these I have retained the original spelling.

f. 1. "T'was the divine Providence that drove me early out of my native county, and obliged me for self preservation to save myself from the hands of my enemys, and seek for shelter in foraine partes, and t'was the same providence ordred it so that I past most of the twelve years I was abroad in Catholike kingdomes, by which means I came to know what their religion was, which is all liklyhood I never had been so happy as to have done, had not that dismal revolution happened, for had I remained in quiat at home, in all appearence, it would have been impossible for me (considering the care was taken to breed me up with a prejudice to Catholike Religion) ever to have known the true maxims of it, and concequently continud in the errors I had been bred up in, which nothing but tyme and the grace of God could have effected in me, espesially considering how little application yonge men of the age I was then of have to any thing that is good or of that kind, being for the most part led away by the heat of their temper and ill example; notwithstanding all which the devine providence ordred it so that I began to be sensible *by experiance* that I had had wrong notions given me of the Ca[tholike] Rel[igion], and that they were not guilty of several things they were falsely taxed with, so that by degrees I was convinced that the Prot[estants] had wrongfully seperated themselves and were fallen off[f] from the true Church. . . . My cheef designe of writing this paper is to give some advice to new converts, and to such whose hearts are touched, and have inclinations to find out the truth, and when they have found it, to behave themselves as becomes true converts, willing to live up to the height of Christianity, or at least to do thier parts to endeavor it, and tho I acknowlidg to my owne shame I did not do so sone as I was throwly convinced of the truth of the Religion I now

professe, I am desirous others should not follow my ill example, but do their parts to take warning from me. . . .

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New converts are bound to be more regular and even to deprive themselves from some things which are not ill in themselves, for mortification. Even hunting and other manlyke exercises should be used with moderation and with as little expence as may be, and the quality of the person requires. One must be carefull not to lose masse any day for those recreation[s], nor indeed use any of them on days of obligation, they being more particularly sett apart by the Church to be kept holy.

. . . . Tis a duble scandal to see the theaters and other dangerous diversions so frequented on those days, when we have all the rest of the weeke to ourselves to please ourselves in innocent recreations. . . . Such of you as have yonge persons under your charge should not lett them reade Romances, more espesially the womenkind; at best 'tis but losse of tyme, and is apt to put foolish and rediculus thoughts into their heads, espesially the female. History is usefull and as diverting.

f. 24. "King Charles the 2 papers, which I gave and desired you to read, sufficiently explaine to you that there can be but one Cath[olike] and Apos[tolical] Ch[urch], and which it is. The late Dutchesse [of York] in hers, letts you see that those who made and carryed on the Pro[testant] Reformation in Ed[ward] 6 tyme had no resemblance to those who in the first Coun[cil] at Jerusalem used the phrase mentioned in the Acts of the Apos[tles] of 'it seemed good to the Holy Ghost and to us.'" August 1694.

f. 71. Resolutions to hear mass daily, to receive the Blessed Sacrament once in fifteen days or oftener, to observe days of fasting and abstinence, to be careful in making friendships, to avoid idleness, to avoid balls, operas, and plays, as far as possible, to give all one can spare in charity, etc.

f. 79. Resolutions. "To rise at seven or half an houer after, not to be above eight houers in bed. So sone as one is up and so far drest as not to catch cold, to say ons first morning prayers. So sone as quit drest to retire into an oratory or closett alone there to say ons other morning prayers, make some meditations, or read some good book for half an houer. Immediately after which to heare ons first masse, and then to dispatch what businesse one has, then to walke to take the aire, and then to go and heare ons last masse, if one has any spaire tyme before that to spend it well in reading or writing so as never to be idle. After diner to converse with the company one is in for some tyme, then if one can to retyre to rest ons self for some tyme and read a little in some good book, and about three to say the prayrs out of the manual for the evening, after which to follow ones affairs, make visits or take the aire, and to assist at the Rosairey in the chappel.

"On Sundays, Holy days, and Thursdays in the afternone to assist at comply[ne] and the benediction at the Parish or some other Church, if not hindred by some just impediment, and on Frydays at the Chapel, and to order so ons necessary affairs as not to faile if possible assisting at those prayers; the same as to those every third Wensday of the month, for establishing Catholike Religion in the three Kingdoms, and to fast that day.

"To make the spirital Retreat of one day in the month out of P[ere] Croissettes books printed at Lyons, 1694.

"Not to go to plays or operas except it be with the M[ost] C[hristian] King, and even to avoyd that as much as one can without affectation.

"To observe days of fasting and abstinence as are done by Catholikes in England, with leave of ones Confessor.

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"To receive twice a weeke as Wensdays or Sunday, or such other as shall be most proper."

f. 85. "Reasons for desiring to dy. Nov. 1696."

f. 111. "1697. Altho I am a great admirer of La Trappe and of his holy and exemplary life the monks led there, and am over joyd when I hear of any that leave the world and retire thether, and have found great reason to praise the divine goodnesse for having put it into my hart to see that place, since I have visibly found great advantage by it; yet I cannot be so partial to it as to thinke one may not worke out ones salvation in the world without retiring thether or to some strict monastery, seeing that persons of all qualities, of all callings, have been great Saints and may be so still."

f. 125. A prayer for the distressed part of the persecuted church in the three kingdoms, for the Queen and all the King's children, for the King of France, his family, and his church. "Preserve the Duke and Dutchesse of Savoye, and all their children thou has already given them, and grant that the D[utchess]s in deu tyme may bring him more sons. Touch L[ord] S[underland's] hart that he may know and embrace thy Cat[holike] Reli[gion] . . . Have mercy on the Prince of Or[ange], touth his hart that he may speedily repent his past life, which doing, he may become a true convert, and so attaine everlasting life."

f. 129. "Have mercy on the Emp[eror], all Cath[olike] King[s], P[rinces], and Pot[entates], that they all may live in all things up to what they professe as becomes true and zealous Christians, and to consider well and wicely their obligations as such, and not to lett themselves be imposed on by revenge or false or bribed counsellors."

f. 135. A letter of advice to the Duke of Berwick.

f. 143. Another letter to the same concerning the approaching death of the Duchess.

f. 152. A letter in French, concerning the death of the Duke of Modena. Dated at St. Germain, October 4, 1694.

A thin 8° volume bound in red morocco and richly tooled, bearing on one cover the arms of Pope Clement and on the other a shield of four quarters, 1 Scotland; 2, England; 3, France; 4, Ireland, surmounted by a crown, with the motto "*Hony soit qui mal y pense*." It contains four leaves of vellum richly illuminated. The first has the royal arms as before impaled with those of Poland. The second and third, written on both sides, have a certificate by Sebastian Pomponius Bonaventura, patrician of Urbino, bishop of Montefiascone, that on the 1st of September 1719, about 24 o'clock, according to Italian time, he pontifically attired and assisted by two dignitaries of his cathedral church, in the hall of his episcopal residence, by virtue of the papal authority conveyed in a letter of Cardinal Paulucci dated at Rome the 31st of August, 1719, conjoined in marriage James III., King of Great Britain, France, and Ireland, F.D., and H.R.H. Maria Clementina Subieschi, third daughter of James, king of Poland, their previous consent having been expressed in French, in the presence of Sir John Hay and James Murray of the kingdom of Scotland, and Charles Wogan and John O'Brien of the kingdom of Ireland, who subscribed in the presence of Sebastian Antonini, Protonotary Apostolic, and John Brown, of the order of the Preachers, confessor in ordinary of their Majesties. On the third page is the signature of the bishop, that of the Old Pretender—"Nos Jacobus tertius Magnæ Britannie Rex &c., affirmamus ut supra, et propria manu subscripsimus, J. R." On

the fourth page are the signatures of Maria Clementina "*Magne Brittannie Regina*," and the six witnesses, and the attestation of a notary.

MR. BALFOUR'S  
MSB.

June 18, 1561, Dillenburg Castle. Commission from William, Prince of Orange, to Sir Henry de Balfour, a Scottish gentleman of prudence and experience in warfare, to arm and equip a ship, and to levy soldiers for the same, to go to the coasts of Spain and Portugal, in order to attack the Prince's enemies and do damage to their persons and goods. He is expressly forbidden to do damage to any subjects of the Queen of England, the Kings of Denmark and Sweden, or any other potentates well disposed to the Christian religion or to the Prince. Signed "Wille de Nassau." Heraldic seal affixed. (French.) Endorsed:—"Commission of the Prince. Letter of marque."

June 15, 1574. Rotterdam. Commission from William, Prince of Orange, to Sir Henry Balfour, to be colonel and superintendent of all the companies of Scotch foot-guards, in his service. Signed "Guille de Nassau." Seal attached but defaced. (French.)

November 5, 1575. Order by the nobles and delegates (*delecti*) of the cities of Holland, for the issue of a yearly pension of 800 florins of 20 stivers apiece to Henry Balfour for so long as he shall live and show himself friendly to the people of Holland, in consideration of his services against the Spaniards. Seal affixed. (Latin.)

December 22, 1576. Brussels. Commission from the King [Philip II. of Spain], to Henry de Beaufort (*sic*) to be colonel of sixteen ensigns of Scotch foot-soldiers, at a yearly salary of 500 *livres*, with suitable salaries specified for the inferior officers. Signed:—*Par le Roy*. D'Ouerboepe. (French.) Parchment. Seal broken. (See *Calendar of State Papers, Foreign Series, 1575-1577*.)

May 22, 16 Jac. I. Westminster. Warrant from James I. to the Deputy, the Chancellor, the Deputy Governor, and other officers of the realm of Ireland, to issue letters patent, confirming to Sir James Balfour, knt., one of the Privy Council there, all the castles, manors, &c., formerly granted to Lord Balfour of Burley, in the county of Fermanagh, and other possessions in the province of Ulster. Signed "James R." Heraldic seal affixed. Paper.

December 30, 1619. Original will of James, Lord Balfour, Baron of Glennawlye, one of His Majesty's Privy Council in Ireland.

November 1, "1638." (The real date must be between 1622 and 1630.) Whitehall. Order by the Lords of the Council of Scotland for the issue of a yearly pension of 500*l.* to Sir William Balfour, gentleman of his Majesty's Privy Chamber, for the term of his life, in consideration of his recall from the service of the estates of the Low Countries for the King's special service in France, and for a yearly pension of 250*l.* to William Balfour, his son, for the term of his life after the death of Sir William. Signed by George [Hay], Chancellor; John, Earl of Mar, Treasurer; Lord Naper, Deputy Treasurer, the Earl of Haddington, the Earl of Linlithgow, and four others. Countersigned:—"Charles R."

June 1, 1642. Commissions from Robert, Earl of Leicester, to Sir William Balfour, knt., to be captain of a troop of carabines that are to attend the Scotch army in Ireland, and to be Commissary-General of the troops attending the Scotch army in Ireland. Heraldic seals.

August 31, 1644, 8 p.m. Plymouth. William Balfour to Lieut.-General Middleton. "Sir I am come hither by order from his Excellency to joyne with you, and I have brought all our cavalry with me to Salt

MR. BALFOUR'S  
MSS.

Ashe, from whence I shall transport them tomorrow over the Devonshyre syde and refresh my horse hereabouts two or three days and I shall expect to hear from you and of your strength. In respectacon whereof I rest your very affectionate servant." (Written on a small piece of yellow silk, probably part of the lining of a coat.)

February 5, 1688. St. James's. Commission from William, Prince of Orange, to William Balfour, Esq., to be captain of a regiment of dragoons commanded by Col. James Harbord in Carneyshure. Signed:—"d'Orange." Heraldic seal affixed.

October 10, 1689. Cambridge. Isaac Newton to Mr. N. Falio de Duillier. "I intend to be in London the next week and should be very glad to be in the same lodgings with you. I will bring my books and your letters with me. Mr. Boyle has divers times offered to communicate and correspond with me in these matters, but I ever declined it because of his ——— and conversing with all sorts of people, and being in my opinion too open and too desirous of fame." Heraldic seal.

November 21, 1692. Trinity College, Cambridge. The same to the same. "I have the book, and last night received your letter, and which how much I was affected I cannot express. Pray procure the advice and assistance of physitions before it be too late, and if you want any money I will supply you. I rely upon the character you give of your elder brother, and if I find that my acquaintance may be to his advantage I intend he shall have it, and I hope that you may succeed to bring it about, but for fear of the worst pray let me know how I may send a letter and, if need be, a parcel to him, and pray let me know his character more fully, and particularly whether his genius lies in any measure for sciences or only for buisiness of the world."

January 24, 1692-3. Cambridge. The same to the same. Enquires about his health, and invites him to Cambridge. Heraldic seal.

February 14, 1692-3. Cambridge. The same to the same. "When I invited you hither, I was contriving how you might subsist here a year or two, but since the death of your mother, and the concerns you have left by her in Switzerland call you thither, I must be content to wait your good company, at least for some time. Yet Mr. Desiquens governor of Amsterdam, and I should be very glad to have you so near England. You left here 12 doses of the first imperial powder for the first region which I am to return to you or the value of them in money. . . . I have also two chymical books of yours, which I beleive will be of no use to you. . . . I am glad you have taken the prophesies into consideration, and I beleive there is much in what you say about them, but I fear you indulge too much to fancy in some things." Heraldic seal.

March 7, 1692-3. Cambridge. The same to the same. Sends him for twelve doses of his powder for the first region and two boxes and also 5*l.* for three rulers. (On the same page is an acquittance from N. Falio de Duillier for 14*l.* for the value of certain goods left by him to Isaac Newton, esq.)

January 29, 1693-4. Oates. J. Locke to Mr. Falio, near Soho Square. "Having never had the honour to write to my Lady Russell in your life, I thought it not very gracefull to begin now that her Ladyship is no longer read. This however I was resolved should not hinder me from shewing my desire and readynesse to serve you as far as I

able." I have therefore joined Lord Ashley's powerful interest with MR. HALFOUR'S  
MSS.  
my own.

June 29 [1694]. Salisbury. Gi[lbert], Bishop of Salisbury to Mr. Falio at Southampton House. "I return you my most humble thanks for the particular account that you are pleased to give me of the good successe of the operation on my Lady Russell's eye. I rejoyce in it with all my heart, and doe sincerely blesse God that the use of light is again restored to one that deserves it so well. Pray return my most humble thanks to my Lady for thinking on me in so criticall a time. I am very sensible of the honour of so noble a frendship; give my most humble service to my Lord Tavistoke. I am sorry that he loses his time so much. You must make the most you can of the few minutes he gives you, and throw away as few of them as may be in chiding, That is now too late and will but alienate him the more both from you and from that which you may instill in him." Heraldic seal.

March 3, 1742-3. London. John Pringle to Blayney Townley. "The gin bill has passed both houses, notwithstanding an opposition even from the whole bench of bishops; the late obstruction being removed, we expect nothing less than an inundation to follow, and therefore the Riot Act ought to be first repealed to prevent the inconveniencies must necessarily follow thereon. The thinking people speak against it with great warmth and I fear reason also; the Earl of Chester[field] calls it the Drinking Fund, and the onely one that had not already a tax annexed. The King is preparing for Flanders, but few persons believe there will be any action this summer."

July 14, 1750. London. The same to the same. "The Prince intending this summer to call a Parliament in Cornwall has put the Court in some commotion, least, under the colour of the tin, gold may be introduced for the convenience of the electors. This week he honours Lord Bathurst with a visit, but [I] much doubt of his makeing any further progress (whatever the publick papers insinuate to the contrary) than that of Bath. The general sett of mankind (who onely judge from appearances) are much surprizcd att present on an execution for debt on Dr. Mead's goods and chattels, but they who are more conversant with the world are astonished it was kept off so long, from a consideration of his extravagance and such a variety of wayes of squandering his fortune."

November 14, 1754. London. The same to the same. "Great are the disputes at present between the rival theatres, vieing with each other in different characters, which afford unusual entertainment to all frequenters of the stage. His Majesty on Saturday payed his first visit to Covent Garden in preference to the Opera and Drury Lane, when Lady Townley by Pegg Woff[ington] gave him great pleasure, with the addition of unusual huzzas in a part of the Miller of Mansfield. The birthday was solemnized with great splendour. . . . Last night the special jury on the Richmond Parke gave their verdict for P. Emilia after a debate of 3 quarters of an hour, which is by no means agreeable to the town. It is expected there will be a new election for Oxfordshire, which will much aggravate the expense, which has been already almost incredible. . . . I fear the Ministry has not the American expedition so warmly att heart as the town generally believes, by the present embarkation of troops."

February 5, 1755. Bath. Hamilton Gorges to the same. "There was an odd speech made in the House of Commons by Mr. [Henry]

MR. BALFOUR'S MSS. Fox, to repeal the Act making the 30th of January a church holiday. The whole House seemed amazed at the motion, and he was obliged to make a motion to withdraw his former one. It was an ambition to please his Sovereign, but he fixed on the wrong method. Quin said: "there's nere a king in Europe but has a creek in his neck on this day."

H. C. MAXWELL LIT.

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